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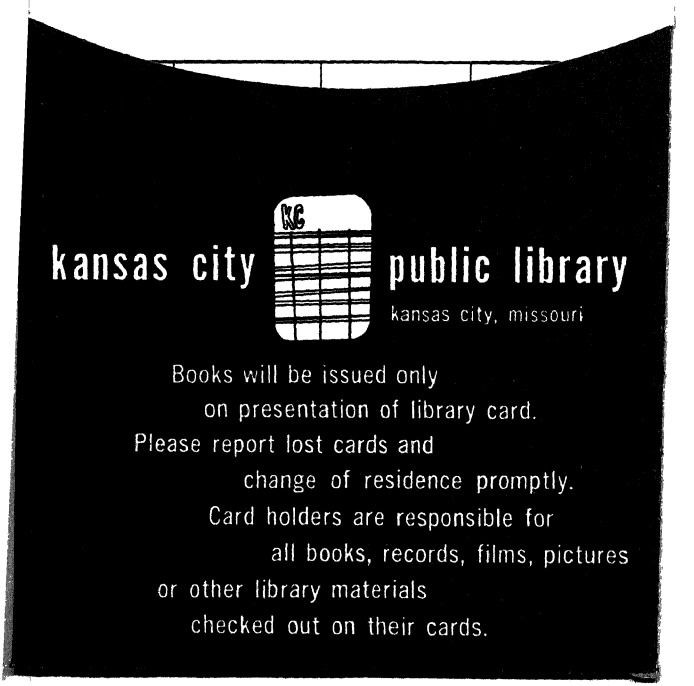

The Messages and Proclamations

OF THE

Governors

OF THE

STATE *of* MISSOURI

COMPILED AND EDITED BY

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PREFACE

This volume of the "Messages and Proclamations of the Governors of the State of Missouri" includes the messages and proclamations of Governors Willard Preble Hall (1864-1865), Thomas Clement Fletcher (1865-1869), and Joseph Washington McClurg (1869-1871).

FLOYD C. SHOEMAKER.

Columbia, 1924.

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GOVERNOR WILLARD PREBLE HALL

WILLARD P. HALL
Governor 1864-1865

WILLARD PREBLE HALL

By
Henry S. Priest

In 1841, "a pale and delicate youth, dressed in blue jeans and mounted on a pony, with a pair of leather saddlebags containing his wardrobe and library," rode into Sparta, the county seat of Buchanan county, Missouri. This is the Buchanan county tradition of the first appearance of Willard Preble Hall as a lawyer, ready for eminence at the Missouri bar.

As this tradition was not recorded until after he had reached eminence, it is possible that artistic touches have been added in coloring the picture of his first appearance, for the sake of contrast. Something is needed to explain the rapidity with which he made his way, and we have it added, along with the color of his jeans and the paleness of his complexion. He passed in triumph the searching examination at the bar of public opinion to which a new-comer in a Missouri town was then subjected. He was found to be "plain and simple" "frank and easy," and these qualities, added to his jeans, to the report that he had "a university education," and at twenty-one knew more law than some old lawyers ever cared to learn, made him "almost a pet" of the community, which according to immemorial custom, proceeded to advertise him as a prodigy. This helps to account for progress, otherwise unaccountable. In 1843, when he removed to St. Joseph, he was appointed Circuit Attorney and in 1844, named a Presidential Elector and assigned to canvass a large area of Northwestern Missouri for Polk and Dallas, on the issues of expansion to the Rio Grande and westward. In that campaign, matched against veterans, he was supposed by his admirers to have justified their opinion of him as a prodigy, and Colonel Alexander W. Doniphan himself records that "he succeeded at once—system and logical arrangement were natural to him."

They had been developed, however, by careful training through both the Virginia and the New England tradition. He was born of New England ancestry at Harper's Ferry, Virginia, May 9, 1820. His father, "a celebrated inventor," sent him first to school in Baltimore and then to Yale, where in the "Class of 1839," he had William M. Everts and others of that rank as classmates. In Yale then, as in Virginia, "education" demanded the severe discipline of the classics, and on leaving Yale, Hall brought with him to Missouri a sufficient knowledge of the classical languages to give him their ready use through life, and to enable him to train his son in them for admission to college and for eminence at the bar.

When he came to Missouri in 1840, it was to qualify for the bar, in the office of his brother, Judge William A. Hall—a splendid lawyer learned in classical literature and profound in philosophy—of Randolph county. With such credentials, his trained abilities—more effective in their results because of his pallor, his delicacy and his blue jeans—disposed his constituents in Northwest Missouri to enthusiasms. They nominated him for Congress in 1846 against Judge Birch, of Clinton county, but in the middle of what the supporters of the Polk administration thought a successful canvass, he answered the call for volunteers by enlisting in the First Missouri Cavalry as a private, for service in Mexico. As the Doniphan expedition was being outfitted at Fort Leavenworth, it was reported back to Missouri by teamsters and others of Hall's constituency, that they had found him at Fort Leavenworth "doing the menial work of a private soldier" in unloading supplies and otherwise. Accordingly, his district kept his name on the ticket and elected him to Congress "by a majority of 3,000, out of a total vote of only 10,000." It is said that his sudden enlistment followed a reproach from his Whig opponents that by supporting Polk and Dallas in 1844, he had helped to force the country into an unjust war, which others were called on to fight, while he was taking advantage of it for his own political advancement. This is made more probable by the recorded speeches of

such "Old Line Whigs" as John M. Clayton, Thomas Corwin and Robert Tombs, who denounced what was called the "manifest destiny of the Anglo-Saxon race" as infamous aggression, forcing civil war on the United States. Most of the Whig opponents of the War were forced out of politics—unless they saved themselves by such a proviso as made Tombs afterwards a leader of the War party, the proviso being that when once Southern blood had been shed to gain Mexican territory, the South should "stand to its arms" rather than be deprived of its rights in it. With such emotions recalled, there is no difficulty in understanding that Hall gave the one possible answer to his opponents in 1846 by enlisting as a private soldier. This, in connection with his experience in New Mexico as a "liberator," and his New England tradition must be considered also in accounting for the reaction of his own mind on itself, between 1846 and 1861 when in the Missouri Convention of 1861, his political friends of 1846 found him one of their most uncompromising opponents.

When his election to Congress was announced to him at Santa Fe in 1846, he was completing work to which he had been "detailed as a private soldier" by General Kearney in August of that year. This was to prepare a Civil code of American Laws for the liberated New Mexicans—a sufficient number of whom were "executed" under "martial law" during their liberation, to make a Civil Code beneficial to survivors intelligent enough to appreciate the principles of American institutions. It is agreed that Private Hall did the work of codifying these principles in a way that made the New Mexican code a model of condensed and lucid definition. Adopted by the Territory of New Mexico, the code was "in use for forty-five years."

When Hall's election to Congress was announced in Santa Fe, he was released from military service, but pending the meeting of the Congress to which he had been elected, he volunteered for the expedition which occupied California.

This military record and his service in Congress itself made him one of the Democratic leaders of his State. He

served three terms in Congress, where a part of his record is the promotion of the first Missouri railroad system. He is credited, among other things, with securing a grant of 600,000 acres for the Hannibal and St. Joseph road. During this period, following the admission of California as a State, the struggle over the Kansas-Nebraska bill forced the issues of 1846 towards the crisis of 1860-61. When Whigs of 1846 in Missouri had joined with "Polk Democrats" of that year against Benton as a "Jackson Democrat" and the Van Buren Democrats or "Free-Soilers," parties were so confused in Missouri that all histories so far in print fail to enable any reader of the present to comprehend what such a change as that undergone by Williard P. Hall meant to his mind and emotions, as it did to so many others, loyal Missourians, threatened with an enforced choice between loyalty to Missouri and loyalty to the Union. As he saw his choice, he was loyal to both his State and the Union in the uncompromising opposition to the Confederate States and to the secession of Missouri which made him lieutenant governor, when the Convention appointed Hamilton R. Gamble Governor, to succeed Jackson, deposed. When on Governor Gamble's death in January 1864, Hall succeeded him, holding until the inauguration of Fletcher, January 2, 1865, it would be necessary in reviewing however slightly his public service, to recall the history of a Civil war in which Missouri had given more volunteers to the Confederacy as well as to the Union, than some States, North and South, had given to either. We may recall only from Carr's History of Missouri, that in the first nineteen months of the war, "over 300 battles and skirmishes" were fought within the State. Only as we are able to realize what this meant to those who lived through it, can we enter into the feelings with which Governor Hall, returning to private life, devoted his mind and talents to the work of restoration, which at his death, November 2, 1882, had proceeded so far that the lessons of war seemed to assure Missouri a future of great, increasing and uninterrupted prosperity. It is notable that though circumstances had forced Governor Hall to bear the brunt of the climax of

the most exaggerated passions, he was most apt to give a first impression of mildness and kindness to younger men who knew him only after the close of the War, while it left with those who had been his opponents, no such enmity as was for a long time felt to others of his prominence in the struggle.

As a lawyer, he is ranked by his successors at the Missouri bar as a type of the best in theory and in practice. Judge Elijah H. Norton said of him: "As a lawyer, he was the peer of any man in the State. As a citizen, in the private walks of life, his character was without stain or reproach, and no man was more distinguished for incorruptibility and integrity." He was genial, yet dignified, simple in diction, yet profound in thought, learned, yet not pedantic. A more admirable example than he to the young man of this State has not graced the pages of history.

BIENNIAL MESSAGE

DECEMBER 28, 1864

From the Journal of the Senate, pp. 14-24

Fellow Citizens of the Senate and House of Representatives:

It is four years since the Legislature of Missouri met in the halls you now occupy to plot treason against the Government of the United States. In conjunction with a faithless Governor and Lieutenant Governor, they inaugurated a war against the Federal Government, and endeavored to commit our people to the cause of rebellion. They had all, without a single exception, obtained place by warm professions of loyalty and of attachment to the Union, and yet, it is now certain that many of them, at the very time of taking the oath of office, had resolved to violate both its obligations and their pledges to their constituents. Encouraged by secret political organizations, and confident of their power to intimidate and intrigue, they ventured to call a convention of the people, to "consider the then existing relations between the Government of the United States, the people and government of the different States, and the Government and people of the State of Missouri; to adopt such measures for vindicating the sovereignty of the state, and the protection of its institutions, as should appear to them demanded." By this course the conspirators expected to obtain an apparent popular approval of their conduct. Fortunately they were dissappointed in the result. The people, by a majority of more than eighty thousand, decided in favor of the Government, and the delegates elected resolved, with but one dissenting voice, "that there was no adequate cause to impel Missouri to dissolve her connection with the Federal Union." And it would have been most remarkable if the decision had been otherwise.

Since the admission of Missouri into the Union, the action of the Federal Government had been in accordance

with her views and wishes. During a period of forty years no act of a general character, with but two or three exceptions, had been passed by Congress that had not received the votes of the Missouri Senators and Representatives at Washington. And this State had but seldom asked of the United States a local measure that was not promptly granted.

At the very time that efforts were making by our State authorities to drive Missouri out of the Union, there was no public law on the statute book of the nation that did not receive the approval of an immense majority of our people. Indeed, it may be safely said, that if Missouri had controlled the Federal Government and dictated the legislation of Congress, the policy of the country would not have been changed in any important particular.

The emphatic repudiation of rebellion and secession by our people did not check the operations of the men in power at this capital. On the contrary, they became more energetic than before in preparing for war against the Federal Government. They appropriated money set apart for the support of schools and asylums, and for the payment of the State debt, to the purpose of arming and equipping a rebel military force. They set on foot schemes to seize the property of the United States within our limits, and authorized negotiations with our border Indian tribes, with a view to employing them against the loyal citizens of the State. In this way a cruel civil war was begun in Missouri, which has continued to the present time with greater or less violence. It is true, that every rebel army which has attempted to invade or make a stand on our soil, has been defeated. But guerilla bands are numerous in some sections, and do great injury by murdering our citizens, and robbing them of their substance. The authorities have been active in their efforts to exterminate these outlaws, but up to the present time have not been entirely successful. An experience, however, of three years has demonstrated that the people themselves can rid the State of these pests to society, if they will but do their duty. It is a fact well established that guerillas do

not, to any great extent, infest loyal communities. It is only counties which are regarded as in sympathy with the rebellion that these bands frequent and make their headquarters. Occasionally they visit other neighborhoods, but in all such cases they are quickly destroyed or expelled. The inference is, that if counties known as disloyal would cease to sympathize with treason, and become earnest supporters of the Government, guerilla warfare would soon cease to exist in the State.

But few of our citizens sympathize with ordinary criminals, ordinary robbers, or ordinary murderers. The great trouble is, that many do not regard treason as a crime, and sympathize with traitors.

Traitors have, however, done more harm to Missouri in three years, than all other criminals combined have been able to accomplish since our State was first settled by white men. They have perpetrated outrages that the worst men in our State prison would not commit, and which the wild Indians of the prairie can scarcely rival.

It seems to me time that Missourians should cease to sympathize with this class of men, and should one and all unite in efforts to suppress treason in every form, and restore peace and prosperity to our State.

The officers elected by the people in August, 1860, having determined to involve this State in a war with the United States, the Convention did not hesitate as to their course. They had been especially empowered "to adopt such measures for vindicating the sovereignty of the State and the protection of its institutions, as to them should appear to be demanded." In order to protect our institutions as a member of the Federal Union, it was necessary to remove from place those who were endeavoring to destroy the Union itself. Hence the Convention, by ordinance, on the 30th day of July, 1861, removed from office the Governor, Lieutenant Governor, Secretary of State and the members of the General Assembly, and on the next day established a Provisional Government, to control the State until the people could elect officers to perform that duty. I most cordially congrat-

ulate you and the people on the election of a loyal State government, and am more than pleased that I am able to surrender the State to those about to succeed me in a much better condition than it was when the Provisional Government took charge of its affairs. That was the most gloomy period in the history of our country. The first battle of Bull Run had just been fought, General Lyon was hard pressed in Southwest Missouri, and a few days afterwards was killed at Wilson's Creek. In September following, the rebel General Price captured Lexington and its garrison of three thousand men, and rebel forces had so over-run the State that only a small part of the northwest and northeast, and a small section, including St. Louis and Jefferson City, and the country intervening, recognized the Federal authority. Many of the judges of our courts, sheriffs, circuit attorneys, justices of the peace, and other civil officers, were avowed rebels. Now there is no organized rebel army in the State, and all of the civil offices of the State are filled with men of avowed loyalty. At the recent election more than one hundred counties voted for President and Vice President of the United States, and at this time the Union includes no more loyal State than the State of Missouri.

Up to the first of July last, Missouri had furnished, by volunteer enlistments, ten thousand more soldiers for the Federal army than her quota. Since that time eleven new regiments have been recruited and organized. Three of our districts have filled their quotas under the last call of the President with volunteers. Three other districts are but a few hundred men in arrear, and the deficiency in the other districts is believed to arise, to a considerable extent, from an excessive enrollment.

The whole number of men furnished by Missouri under different calls of the President prior to February 1st, 1864, is.	59,676
Number of men furnished since February 1st, 1864, as shown by the reports of the Commissary of Musters, Department of the Missouri, and Assistant Acting Provost Marshal General of Missouri	18,508
Veteran Musters to April 28, 1864	1,409

The Enrolled Missouri Militia that have served six months and longer reduced to three years standard, by report of Adjutant General of Missouri of April 18, 1864.....	2,174
Total number furnished to 30th November, 1864.....	81,767

In addition to this, we have had in the field, since the 31st of July, 1861, more than sixty thousand militia, and have actually expended in their payment upwards of four millions of dollars. These gratifying results, it is claimed, are due in part to the fidelity and industry of the Provisional Government.

In September last, General Sterling Price, with a rebel force estimated at from 12,000 to 14,000 mounted men, invaded this State. He entered in the southeast, and his forces passed through the counties of Butler, Wayne, Madison, Iron, St. Francois, Washington, Franklin, Gasconade, Osage, Cole, Moniteau, Cooper, Howard, Pettis, Saline, Lafayette and Jackson, plundering our people. He threatened Jeffe son City, seized Boonville, Glasgow, Lexington, Independence, and many other less important places, and recruited his strength with nearly ten thousand men and boys, residents of Missouri.

He left the State at or near Westport, passed into Kansas, and thence retreated through Kansas and Southwest Missouri into Arkansas. He was very gallantly resisted by General Ewing and a few hundred soldiers at Pilot Knob; our forces were, however, compelled to give way before superior numbers and retreated to Rolla.

General Brown, by his prompt concentration of troops at this point, and Generals Fisk, McNeil and Sanborn, by their prompt reinforcements, saved the capital of the State from capture.

General Pleasanton, with some six or eight thousand cavalry, overtook Price's rear in Jackson county, and pressed him hotly as far as Fort Scott, capturing most of his artillery, and killing, wounding and making prisoners a large number of his officers and men. General Pleasanton, by his vigor and skill, drove Price from the State and saved

Kansas from great loss. His brigade commanders, McNeil, Sanborn, Philips and Benteen, acquitted themselves with credit. The last three are especially commended by their division commander. I feel it my duty to call your attention to Philips and Benteen particularly. They are both young officers, and both Missourians; one is Colonel of the 7th, the other is Lieutenant Colonel of the 10th Missouri Cavalry Volunteers. As a testimonial of my appreciation of their services, I have made them both brigadier generals of the Enrolled Militia, and I trust the President of the United States will think proper to make them brigadier generals of volunteers—an honor they merit for gallant and important services on the battle field.

Major General A. J. Smith, with his infantry, made every effort to overtake the enemy. Though he failed in this, it cannot be doubted that his rapid marches and proximity to the scene of action, by inspiriting our cavalry and dispiriting the enemy, contributed much to our success.

The troops under General Curtis co-operated with those under General Rosecrans, and by their joint efforts the raid of Price was returned from a rebel triumph to a rebel disaster.

As soon as Price's invasion became a certainty, I authorized the various district commanders to call into service such portions of the militia of the State, as in their opinions, the emergency demanded. A large number of the militia were so called into the service; a portion of them fought at Pilot Knob, others participated in the defense of this city, others fought and were captured at Glasgow with Colonel Harding; others fought under General Blunt in resisting the enemy's march from Lexington to the western border, and generally they acquitted themselves well. It was the Enrolled Militia who killed the outlaw Bill Anderson, who for months had been the scourge of northern Missouri, and who had defied or evaded all troops that had been previously sent against him. Under orders from Brigadier General Craig, of the militia, Lieuten-

ant Colonel Cox and Major Grimes, both militia officers, with a militia force attacked Anderson and his band at Albany, in Ray county, killed him and dispersed his followers. For their good conduct in this affair, Lieutenant Colonel Cox, Major Grimes and their officers and men, have received the thanks of the Commander of the Departments in orders from Headquarters; and in my opinion, they deserve the thanks of the General Assembly also, for beyond all question Bill Anderson was the most dangerous, the most wicked and the most mischievous man who has ever afflicted Missouri.

When the militia were called out to meet Price, I promised both officers and men that they should be paid for their services, and paymasters are now engaged in performing that duty.

The payment of the militia will engage your attention. Up to the first of January last, there were due the militia $989,579.05. The rolls for the current year are not all returned to Headquarters, and the precise sum due the militia for services in 1864 cannot therefore be stated. It is believed, however, that one million of dollars will be found not far from the amount, and I would recommend an issue of one million of dollars of Union Military Bonds to pay the militia. That amount, together with the Defense Warrants that may be issued under existing laws, will enable the State to pay off the militia in full. The whole amount of Union Militiary Bonds now outstanding is less than two million of dollars. The issue recommended would not make the whole amount outstanding as large by some hundreds of thousands as the original issue, which was three millions.

The amount paid the militia by the State, and the amount still due the militia, constitute a valid claim against the United States, which Congress ought to discharge. In support of that position, the following facts may be adduced:

In the summer of 1862 the rebel General Price was believed to be threatening to invade Missouri from Arkansas with a formidable force. The rebel Generals Coffee and

Hughes actually penetrated to the Missouri river, captured Independence, defeated our forces at Lone Jack, and threatened Lexington. At the same time, there sprang up in northern Missouri a rebel force of over three thousand men under Porter, of over fifteen hundred men under Poindexter, and there was a large force on the south side of the river, all acting in concert. To meet these dangers, the Federal forces in Missouri were deemed by General Schofield, at that time in command of the department, to be inadequate. He, therefore, with the consent of Governor Gamble, organized the militia, called them into active service, and placed them under command of such officers as he chose to designate. They proved to be an important auxiliary in defeating the rebels. They fought in different parts of the State, under Federal officers, and they took many prisoners, believed to be not less than five thousand, who were sent south and exchanged. In all cases they acted in subordination to the Federal officers, aiding in carrying out the orders of the Commander of the Department, and were not used as a force to enforce the State authority, any further than it was the duty of the Commander of the Department to see that such author ty was enforced; on the contrary, General Schofield issued an order prohibiting the Enrolled Militia, in service, from assisting in executing the laws of Missouri concerning slaves.

The Enrolled Militia were first called out, in a most pressing emergency, by the Commander of the Department, to supply deficiencies in the Federal forces. They have been kept in service after the emergency passed, to enable the Commander of the Department to send Federal troops to other points, as in the case of reinforcements to General Grant, at Vicksburg, and to General Steele, in Arkansas.

The importance of the services rendered by the Enrolled Militia is strongly attested by General Schofield in a communication to the President, under date of October 20, 1863. He says: "The services of the Enrolled Militia have been of great value, not only during the summer of 1862,

when they were first organized, but also during the present year. The ten provisional regiments which the Governor organized for continuous service and placed under my command enabled me to relieve an equal force of United States troops, and send them to General Grant. On several occasions I have called out from one to four additional regiments for temporary service, to meet emergencies as they have arisen. With a few exceptions they have responded with promptness and alacrity, and have done good service."

To the same effect is a letter from General Curtis to Governor Gamble, dated January 4th, 1863. General Curtis says: "The demand for troops below has induced me to send out almost everything, so there is only Merrill's regiment of United States troops remaining north of the river. This is only partially armed. We must rely, therefore, mainly on the Enrolled Militia."

From this statement, it will be perceived that the duties of the Enrolled Militia have been precisely those of the United States soldiers in Missouri. In all cases they took the place and answered the purpose of Federal troops. In many cases they relieved Federal troops, and in some cases they were engaged in actual battle. They especially distinguished themselves at Springfield, in January, 1863, and received the warmest commendation of General Brown, then in command in Southwest Missouri.

They contributed to the capture of Vicksburg and the great victories in that quarter, by enabling timely reinforcements to be sent to General Grant from Missouri, and they materially assisted General Rosecrans to repel the late rebel invasion of this State.

It should be borne in mind, that the Enrolled Militia were under the command of General Schofield while he remained in Missouri. General Rosecrans had the same command over them that General Schofield had, and though, owing to some misunderstanding between Governor Gamble and General Curtis, the latter did not, during all of his stay in Missouri, have that command, it is believed

the militia rendered him every assistance he required, except in a single case of furnishing guards for provost marshals.

The payment of the large militia force which has been kept in service in this State, at the instance of United States officers, and under their command, is a drain upon our resources that we are but poorly able to bear. Appreciating this fact, I endeavored, while acting Governor in August, 1863, to reduce the militia force in service, and accordingly issued an order relieving the 8th Provisional Regiment from duty. This led to a correspondence between General Schofield, General Fisk and the State authorities, and finally, on General Schofield's application, the order was rescinded. After the recision of the order, I called on General Schofield, and urged upon him the necessity of relieving the militia from active service. He promised to relieve them as soon as he could, but when he left the department there were three thousand militia on duty.

On the 2nd of February last, I addressed a letter to General Rosecrans, requesting him to relieve the militia. He replied that he could not then, but that he would do so as soon as the condition of the department would permit. A large number of the militia are still on duty.

The President of the United States and the Secretary of War have done all in their power to place the Enrolled Militia on the same footing with Federal soldiers. By an order from the War Department the militia are fed and clothed at the expense of the United States, and all militia that have served continuously for six months or more have been credited us on our quota of troops due under the calls of the President.

An effort was made at the last session of Congress to procure the passage of a bill refunding to Missouri the amount expended by her in paying the militia. That bill failed. It is now respectfully suggested that such action should be taken by the General Assembly as will bring the subject again before the Congress of the United States.

Experience has shown the absolute necessity of a more thorough and efficient militia organization in this State.

Under existing laws a man may relieve himself from militia duty for the year, by paying a commutation tax of thirty dollars, and one per cent. on his taxable property. The result is that in some of the most populous counties in the State there is no militia organization at all. I recommend the repeal of the law permitting men to commute their militia service. In my opinion the best interests of the State require that all persons subject to military duty should be attached to some militia organization, and required to perform militia duty when occasion demands it. The system of substitutes in the militia should also be abolished. The changes suggested would greatly improve our militia force. Still another change is required before our militia can be what it ought to be. All commissioned officers should be appointed by the Governor. The plan of electing officers is fatal to good discipline, and was abandoned as to volunteers in the United States service more than three years ago. Those acquainted with the subject know that it is much more difficult to control militia who are in the service occasionally, than it is soldiers who are in continuous service. The highest possible discipline, therefore, that can be attained should be aimed at in our militia organization.

It is true, that under the present State Constitution, company officers are made elective. But it is hoped and believed that the Constitutional Convention, about to assemble, will make a different provision.

Many of the counties of this State require the presence of a military force all the time to protect them against bushwhackers, guerrillas and outlaws generally. Federal troops cannot always be spared for that purpose, and the State is not able to pay militia for such service. The counties alluded to are, however, both able and willing to pay soldiers for this local defense. I recommend the passage of a law authorizing the formation of volunteer militia companies, under the direction of the County Courts, for defense of their counties, to be paid for their services by the counties. The men should be required to volunteer for six or twelve

months. The officers should be appointed by the Governor and removed at his will.

Under the act for the extension and completion of the Pacific Railroad to the western boundary of the State, and the North Missouri Railroad to the Iowa State line, I appointed Hon. T. L. Price fund commissioner for the former road, and Hon. Norman C. Cutter fund commissioner for the latter road. The North Missouri Railroad Company has not yet been able to negotiate any of its bonds at par, and I would not consent to their negotiation at a less rate.

The Pacific Railroad Company has negotiated thirteen hundred thousand dollars of its bonds at par, and was proceeding in a most satisfactory manner to the completion of the road, when the destruction of all the large bridges by Price's rebels put an end at present to all further prosecution of the work.

It is hoped the work will be resumed by early spring, and finished before the ensuing winter.

Nothing has been done, so far as I am informed, to the Southwest Branch of the Pacific Railroad, from Rolla to Little Piney.

The extension of the Southwest Branch to Springfield is so manifestly a military necessity that it is much to be regretted that the Federal Government has not already completed it. It is reported that a plan is on foot which will insure the completion of said road to Springfield at an early day. My information is not, however, official. But the importance of the subject seems to require that the General Assembly should adopt such measures as will give aid and assistance to the reported movement, or any other similar movement.

According to the provisions of an act entitled "An act ordering the sale of the Platte Country Railroad, and for other purposes," approved February 12, 1864, I advertised and sold the Platte Country Railroad and its appurtenances. The State of Missouri became the purchaser, for the sum of eight hundred and forty-seven thousand dollars. The managers of the Platte Country Railroad Company turned

over to the State that part of their road north of St. Joseph, it barely paying running expenses. I appointed J. T. K. Hayward agent to operate the road till such time as the Governor or General Assembly should otherwise direct. This duty he has performed in a very satisfactory manner, but the road yields no revenue to the State.

That portion of the Platte Country Railroad south of St. Joseph, whose earnings are very large, the Directors turned over to the Atchison and St. Joseph Railroad Company and the Weston and Atchison Railroad Company, some thirty days before the State bought the same. The conduct of the Directors in this respect was certainly most extraordinary.

Prior to, and during the year, 1859, the Atchison and St. Joseph Railroad Company had purchased the most of the right of way for their road from Atchison to St. Joseph, and had done some grading on it. The Weston and Atchison Railroad Company had also purchased a portion of the right of way for their road from Weston to Atchison, and had done a portion of the grading.

Those companies, finding it difficult to complete their roads, made a contract in July, 1859, with D. Carpenter, Jr., the contractor of the Platte Country Railroad, to convey to the Platte Country Railroad Company the right of way, so far as obtained by said companies, and they agreed to procure the right of way on that part of their roads not already obtained, and deliver it to the Platte Country Railroad Company. In consideration of which Carpenter was to pay said companies the value of such right of way in full paid shares of the capital stock of the Platte Country Railroad Company. One of the stipulations of the contract referred to provides that if the Governor of Missouri shall refuse to issue the State bonds called for for the Platte Country Railroad Company, the contract shall be null and void.

After the execution of these contracts the Atchison and St. Joseph Railroad Company executed a deed conveying to the Platte Country Railroad Company all their

right of way between the town of Atchison and the city of St. Joseph. The Weston and Atchison Railroad Company executed a similar deed conveying all their right of way between Weston and Atchison to the Platte Country Railroad Company. The Platte Country Railroad Company located their road south of St. Joseph on the right of way conveyed to them by the Atchison and St. Joseph and the Weston and Atchison Railroad Companies; but the whole of the right of way of the Platte Country Railroad Company, south of St. Joseph, was not purchased of the railroad companies before mentioned. Three miles and a half of the right of way between St. Joseph and Atchison was conveyed to the Platte Country Railroad Company directly by the owners of the land, and perhaps about the same distance between Atchison and Weston was conveyed in the same way. The Platte Country Railroad Company commenced the construction of the road south of St. Joseph in 1859, and completed it to its present terminus at Weston in some two years, and controlled and operated it until August last, after the president of the company had been informed that I would not postpone the sale of his road. Then it was discovered that the deed of the Atchison and St. Joseph Railroad Company to the Platte Country Railroad Company was void; that all the rights of way which had ever belonged to the Atchison and St. Joseph Railroad Company belonged to it still, and that three miles and a half of the right of way between St. Joseph and Atchison, that never had belonged to that company, suddenly became vested in it, together with the railroad iron and track that were laid on it.

A similar discovery with similar effects was made with reference to the Weston and Atchison Railroad Company, and the result was to be that the State of Missouri was to lose the money she had advanced to build said road. Not being able to appreciate either the legality or the justice of this position I employed Messrs. Vories & Woodson to bring suit for the Platte Country Railroad, south of St. Joseph, and appurtenances.

It was desirable to have both an injunction and attachment in aid of the suit. But as these writs cannot be issued until a bond is first filed by the party applying, and as no one was authorized to execute a bond for the State, the writs were not applied for. I would suggest the propriety of passing an act providing that in all civil suits, instituted by the State, writs of injunction and atachment shall issue in behalf of the State, as in cases of individuals, except that no bond shall be required on the part of the State.

In the suit instituted by Messrs. Vories & Woodson a receiver was asked for, to take charge of the road and its appurtenances and to manage them, subject to the order of the court. The court appointed a receiver but let the road and its appurtenances remain in the hands of the then managers, they being required to pay over, monthly, to the receiver the net earnings. The statement of the proper officers of the road shows that the receipts of the road for the month of October last were $8,295.81, and the expenditures for the same period were $8,721.07.

The same statement shows that the following officers are employed at the following salaries:

James N. Burnes, President W. & A. R. R. Company	$3,000.00
George W. Belt, Secretary	1,000.00
D. D. Burnes, Treasurer	1,000 00
John Doniphan, Attorney	1,000.00
B. F. Stringfellow, President A. & St. Jo. R. R. Company	3,000.00
A. G. Otis, Treasurer	1,000.00
J. M. Price, Attorney	1,000.00
D. Carpenter, Jr., Superintendent A. & St. Jo. and W. & A. R. R.	6,000.00
G. Kellogg, General Freight Agent	3,000.00
Samuel W. Clapp	1,800.00

I think it manifest from this statement that the receiver will never be paid any net earnings; and yet, there is no doubt the net earnings of the road, under prudent management, would be very large. Mr. Hayward, of the Hannibal and St. Joseph Railroad Company, offered me $150.00 per day for six days in every week, which is equivalent to $46,800 per annum, for the use of the road. If this money

belongs to the State, as I believe it does, it ought to be secured to the State. If, on the other hand, it belongs to individuals, it should be secured to them. The best way to effect this object is to appoint a receiver to take charge of the road and operate it until the litigation is determined. I would, therefore, recommend the passage of a law by the General Assembly, which shall provide that when the State is a party to any civil suit, and it shall be made to appear, by petition, that the State has a probable right to any of the property in controversy, and that such property, or its rents and profits, are in danger of being lost, or materially injured or impaired, the court, or, in vacation, the judge thereof, shall appoint a receiver to take charge of and control such property under its direction during the pendency of the action, and may order and coerce the delivery of it to him in any court of this State. The expenses of advertising and selling the Platte Country Railroad and appurtenances were as follows:

Advertising	$900.00
Auctioneer's fees	200.00

Which has not been paid, for the reason there was no appropriation for that purpose. An appropriation should now be made. I also recommend an appropriation of $4,000 to pay attorney's fees.

The report of the Auditor of Public Accounts shows a very unsatisfactory condition of the State finances. There will be due on the 1st of January next $5,008,240 interest on bonds of the State issued to our various railroad companies. That interest is accumulating at the rate of $1,200,000 per annum. Something should be done at once to stop this accumulation of State indebtedness and to satisfy in part, at least, the demands of our creditors. I know of no way of accomplishing this but by increasing our revenue. The present subjects of State taxation are taxed as high, perhaps, as they should be. But it seems to me we might very properly receive a very considerable revenue from taxes on incomes, salaries, and professions, and I know of no good

reason why a stamp tax, similar to that of the United States, might not be imposed by the State.

I must refer you to the report of the Inspectors of the Penitentiary for information concerning this institution.

Our common school interests suffer equally with all other interests in Missouri, from the effects of the rebellion. The report of the Secretary of State, who is *ex-officio* Superintendent of Common Schools, will give you much interesting information on the subject.

The ninety-second section of an act to regulate elections, approved December 8, 1855, provides that "every person elected Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, or Register of Lands, shall enter upon the duties of his office on the first day of October next following his election, and not before, any law to the contrary notwithstanding." At the time this statute was passed, the general elections of the State were held in August. The day of general election being changed to November, renders a change of the statute necessary. I recommend the passage of a law requiring the Secretary of State, Auditor of Public Accounts, Attorney General and Register of Lands to enter upon the duties of their offices on the first day of January next following their election. This will enable the officers elected in November last to qualify on the 1st of January, 1865, the day on which the present incumbents wish to turn over their offices to their successors.

The thirteenth section of the fourth article of the Constitution of Missouri provides that the Governor shall at stated times receive for his services an adequate salary, to be fixed by law, but it shall neither be increased nor diminished during his continuance in office. The present salary of Governor is three thousand dollars per annum, and is inadequate. The war has greatly increased the expenditures as well as the labor of the Governor, and it is well known that the cost of living in Missouri has been more than doubled in the last few years. In my opinion the salary of the Governor should be increased to five thousand

dollars a year, and I accordingly recommend such increase.

The Constitutional Convention, about to assemble, will doubtless make great changes in our organic law, and the duty will devolve upon you of conforming the statutes of the State to the new order of things. Slavery will be abolished, with the almost unanimous approval of the people of Missouri. The new relation thus given to negroes in our State will demand, and no doubt receive, your consideration. The organization of a new government in the midst of a revolution is a work of great delicacy and responsibility, and will make the present General Assembly one of the most important that ever met in the State.

The result of the recent election, it is hoped and believed will not be without much good effect in Missouri. Our loyal citizens had permitted themselves to be divided into bitter factions as to the proper mode of suppressing the rebellion. The people have carefully considered the various plans proposed, and by an immense majority, decided in favor of the plan of the Administration. With all loyal men this should be satisfactory and conclusive. The minority should be willing to yield their judgment to that of the majority. And all friends of the Government should now unite in giving the greatest efficiency to the plan of the people, and in strengthening the hands of the Executive, in his efforts to terminate the war. And after all, it cannot be said that the terms imposed on rebels are hard or unreasonable. All that is required of them is to submit to the constitution and the law. This is the duty of every good citizen. The people of the loyal States of Massachusetts and New York, Ohio and Missouri, Kansas and California, in one word, all the States adhering to the Government, are required to do this. Are the citizens of Virginia, South Carolina and Georgia to enjoy privileges not enjoyed by other sections? It is not believed the American people will grant it. Submission to the constitution and the laws is the rule that all should be required to obey.

WILLARD P. HALL.

VETO MESSAGE

TO THE SENATE

FEBRUARY 10, 1864

From the Journal of the Senate, p. 464

EXECUTIVE MANSION, JEFFERSON CITY, February 10, 1864.

To the Honorable, the President of the Senate:

Sir—I herewith return to the Senate, with my objections, a bill entitled "an act to fix the terms of the Circuit Court in the 12th Judicial Circuit." A portion of the Representatives and Senators from that circuit have requested me to withhold my approval of the bill. On examination I find that the bill so arranges the terms of some of the courts as to make them conflict with the courts of the adjoining circuits, and with the courts of common pleas in the 12th Judicial Circuit. The result will be, if the bill becomes a law, that both clients and attorneys will be greatly injured without any benefit to the people.

Very respectfully,

Your obedient servant,

WILLARD P. HALL.

Governor of Missouri.

SPECIAL MESSAGES

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 1854

From the Journal of the Senate, pp. 398-399

EXECUTIVE MANSION, JEFFERSON CITY, February 1st, 1864.

Gentlemen of the Senate and House of Representatives:

It becomes my painful duty to announce to you the death of the Executive of this State. Governor Gamble departed this life yesterday at fifteen minutes before twelve o'clock, at his residence in the city of St. Louis. When called to the position he lately filled so honorably and well, he had arrived at an age when peace and quiet were necessary to his health and comfort. But, unfortunately, the condition of the State did not permit him to consult his taste or inclination. We were in the commencement of a terrible revolution, and the Governor elect of Missouri had adhered to the rebellion. Under these circumstances, it became the duty of the late State Convention to remove him from office, and to place in his stead one who would faithfully perform all the duties devolved upon him by a state of civil war. In looking around for the man best calculated for the position, all eyes turned to Hamilton R. Gamble--his great purity of character, his talents and his devotion to the whole country, pointed him out as peculiarly fitted for the crisis. With great reluctance, almost repugnance, he yielded to the demands of the Convention and became Governor of Missouri.

Surrounded by difficulties, such as never before beset a Governor of this State, it is not strange that his administration of affairs should have failed to satisfy all. His official career is now a part of history, and it is confidently

believed that when the animosities of the present shall have yielded to the decision of a cooler judgment, all will admit that he discharged his difficult and arduous duties with an eye single to the best interests of the country.

I am aware of the embarrassments I must encounter in succeeding so good a man and officer, and I solicit your kind support whenever I shall deserve it. My chief and constant effort shall be to co-operate with the Federal Government in its effort to suppress the existing rebellion. In doing this, I shall not be solicitous to find fault with the President, with Congress or our Generals in the field. I shall rather defer my objections to whatever I may consider blameworthy in the acts of either to a more propitious period, and trust, by a cordial support of the Government of the United States, to contribute something to the restoration of peace. In this course I shall expect to receive the approbation of yourselves and of the people of Missouri.

WILLARD P. HALL,
Governor of Missouri.

TO THE SENATE

FEBRUARY 5, 1864

From the Journal of Executive Business in Senate Journal, p. 640.

EXECUTIVE MANSION, JEFFERSON CITY, February 5, 1864.

To the Honorable, the President of the Senate:

Sir—I respectfully nominate to the Senate for confirmation, Captain Milton Burch, to be Major 8th Regiment Cavalry, Missouri State Militia.

Very respectfully,
Your obedient servant,
WILLARD P. HALL,
Governor of Missouri.

TO THE SENATE

FEBRUARY 6, 1864

From the Journal of Executive Business in Senate Journal, pp. 640-41

EXECUTIVE MANSION, JEFFERSON CITY, February 6, 1864.

To the Honorable, the President of the Senate:

Sir—I respectfully nominate for confirmation, John Doniphan, to be Lieutenant Colonel of the 82nd Regiment Enrolled Missouri Militia.

Very respectfully,
Your obedient servant,
WILLARD P. HALL,
Governor of Missouri.

TO THE SENATE

FEBRUARY 9, 1864

From the Journal of Executive Business in Senate Journal, p. 641

EXECUTIVE MANSION, JEFFERSON CITY, February 9, 1864.

To the Honorable, the President of the Senate:

Sir --I respectfully nominate for confirmation, Elvas Parrott, to be Lieutenant Colonel of the 25th Regiment Enrolled Missouri Militia.

Very respectfully,
Your obedient servant,
WILLARD P. HALL,
Governor of Missouri.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 1864

From the Journal of the House of Representatives, pp. 473-474

EXECUTIVE MANSION, JEFFERSON CITY, February 10, 1864.

To the Honorable, the Speaker of the House of Representatives:

Sir—I herewith communicate the report of the committee appointed to settle the accounts of the Quartermaster General of this State, under an act entitled "an act to provide for a settlement with the Quartermaster General of the State," approved February 9, 1864. It is proper to state that on the 8th day of January last, a committee was appointed, under order of His Excellency, Governor Gamble, to discharge the duties required by the act above mentioned. This committee had discharged their duties before said act was passed; hence, immediately on my appointing them, they were prepared to report.

Very respectfully,

Your obedient servant,

WILLARD P. HALL.

TO THE SENATE

FEBRUARY 13, 1864

From the Journal of Executive Business in Senate Journal, p. 645

EXECUTIVE MANSION, JEFFERSON CITY, February 13, 1864.

To the Honorable, the President of the Senate:

Sir—I respectfully recommend to the Senate, for confirmation, William E. Moberly, to be Colonel of the 35th Regiment E. M. M.; George W. Thompson, to be Lieutenant Colonel of the 35th Regiment E. M. M.; Jonathan M. Barrett, to be Major of the 81st Regiment E. M. M.

Very respectfully,

Your obedient servant,

WILLARD P. HALL,

Governor of Missouri.

TO THE SENATE

FEBRUARY 13, 1864

From the Journal of Executive Business in Senate Journal, p. 646

EXECUTIVE MANSION, JEFFERSON CITY, February 13, 1864.

To the Honorable, the President of the Senate:

Sir—I respectfully recommend to the Senate, for confirmation, Henry Neill, to be Major of the 1st Cavalry, M. S. M.

Very respectfully,
Your obedient servant,
WILLARD P. HALL,
Governor of Missouri.

TO THE SENATE

FEBRUARY 15, 1864

From the Journal of the Senate, p. 562

EXECUTIVE MANSION, JEFFERSON CITY, February 15, 1864.

To the Honorable, the President of the Senate:

Sir—I beg leave to communicate the enclosed telegram, which has just been received.

Very respectfully,
WILLARD P. HALL,
Governor of Missouri.

ST. LOUIS, February 14, 1864.

To W. P. Hall: I will visit the Legislature tomorrow; go by morning train.

W. S. ROSECRANS,
Major General.

TO THE SENATE

FEBRUARY 15, 1864

From the Journal of Executive Business in Senate Journal, p. 646

EXECUTIVE MANSION, JEFFERSON CITY, February 15, 1864.

To the Honorable, the President of the Senate:

Sir—I nominate Silas Woodson for Inspector General M. S. M., with the rank of Colonel of Calvalry, in place of Colonel Easton, resigned.

Very respectfully,

WILLARD P. HALL,

Governor of Missouri.

TO THE SENATE

DECEMBER 29, 1864

From the Journal of Executive Business in Senate Journal, p. 462

EXECUTIVE MANSION, December 29, 1864.

To the Honorable President of the Senate:

Sir—I nominate the following officers for confirmation by the Senate:

James W. Strong, to be Lieutenant Colonel 87th Regiment E. M. M., to rank from 15th day of July, 1864.

James W. Strong, to be Colonel of the 87th Regiment E. M. M., to rank from the 6th of October, 1864.

Mr. Strong was first Lieutenant Colonel and then promoted, but as he cannot be paid under the law until his nomination has been confirmed by the Senate, I present his name as Lieutenant Colonel and Colonel.

Very respectfully,

WILLARD P. HALL.

TO THE SENATE

DECEMBER 29, 1864

From the Journal of Executive Business in Senate Journal, p. 462

EXECUTIVE MANSION, December 29, 1864.

To the Honorable President of the Senate:

Sir—I nominate to the Senate for confirmation, the following officers:

George H. Hall, to be Brigadier General M. S. M., to rank from August 31, 1864.

James Craig, to be Brigadier General E. M. M., to rank from May 29, 1864.

Madison Miller, to be Brigadier General E. M. M., to rank from September 27, 1864.

George F. Meyer, to be Brigadier General E. M. M., to rank from October 1, 1864.

J. H. Phillips, to be Brigadier General E. M. M., to rank from November 24, 1864.

F. W. Benteen, to be Brigadier General E. M. M., to rank from November 23, 1864.

Very respectfully,

WILLARD P. HALL.

TO THE HOUSE OF REPRESENTATIVES

DECEMBER 29, 1864

From the Journal of the House of Representatives, p. 32

EXECUTIVE MANSION, December 29, 1864.

To the Honorable, the Speaker of the House of Representatives:

Sir—I herewith transmit various papers relating to the "Missouri institution for the education of the blind."

Very respectfully,

WILLARD P. HALL.

PROCLAMATIONS

ON HOLDING AN ELECTION

MAY 23, 1864

From the Register of Civil Proceedings, 1861-1868, p. 110

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, STATE OF MISSOURI.

Under and by virtue of the provisions of an act of the General Assembly of this State, entitled "an act to provide for calling a State Convention" approved Feb. 13, 1864: I WILLARD P. HALL Governor of the State of Missouri do hereby notify the several sheriffs of the State that an election of delegates to a convention of the people of the State of Missouri will be held at the several places of voting in this State, on the Tuesday next after the first Monday in November One Thousand eight hundred and sixty four. Said election will be managed and conducted by the sheriffs or other proper officers of the counties respectively in the same manner, and according to the same rules and regulations as are now prescribed by law for the election of members of the General Assembly. The several sheriffs of the State will hold and conduct said election according to law and they will advertise the time and place of holding said election for at least thirty days before said election, by publication in the several newspapers of their respective counties, and by posting notices at ten public places in each county.

In Testimony Whereof I have hereunto set my
(L.S.) hand and caused to be affixed the Great Seal of the State of Missouri. Done at Jefferson City this 23rd day of May 1864.

By the Governor
M. OLIVER, Secy of State WILLARD P. HALL.

CALLING FOR VOLUNTEERS

JULY 28, 1864

From the Register of Civil Proceedings, 1861-1868, pp. 116-117

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MO.

To the people of Missouri:

Major General Rosecrans commanding Department of the Missouri, is authorized by the War Department to muster into the United States service for a short period, such number of Missouri Volunteers as the exigencies of the times require. He has accordingly called for Ten Regiments for the period of Six months.

I appeal to the people of Missouri to respond to the call promptly and with alacrity—Our condition is such that we must have more soldiers—Guerrillas infest our borders, and a large force from Arkansas is threatening to invade us. Troops cannot be spared from the front to assist us and we must protect ourselves, or be overrun by rebels.

Under such circumstances, the people of Missouri should not hesitate. During three years of War they have sustained the Government and filled every call for troops by Volunteer enlistments.

The cause of the Rebellion is no less wicked now than it was at its commencement, and the rebels are no less the enemies of law and order now tha they were in the beginning. For Missouri there can be no peace while armed rebels are in the State.

If you desire peace and security for life and property, you must expel all armed bands of rebels from your borders—When this is done, soldiers may be relieved from duty, military power may be withdrawn, and the ordinary course of civil law restored.

If the troops asked for by General Rosecrans are not promptly provided, it will be my duty to furnish him such a militia force as he may require. That militia force

cannot be paid for the reason that the State has no sufficient means for the purpose.

The question is therefore presented whether you will do your duty as paid soldiers of the United States, or whether you will duty as detailed militia of the State without pay. The choice should be readily made. As federal troops you will be more efficient, better paid, better clothed and better provided for than you can be as Militia, and you will therefore render better service to your Government and your State in the former than in the latter capacity.

General Rosecrans relies confidently upon your responding to his call favorably—Let him not be disappointed.

In Testimony Whereof, I have hereunto set my hand, and caused to be affixed the Great Seal of the State of Missouri. Done at the City of
(L.S.) Jefferson this twenty eighth day of July in the year of our Lord One Thousand eight hundred and Sixty four. Of the Independence of the United States the Eighty ninth, and of the State of Missouri the Forty Fourth.

By the Governor

M. OLIVER, Sec'y of State WILLARD P. HALL.

ON EXAMINING CITIZENS BETWEEN AGES OF TWENTY AND FORTY FIVE YEARS

NOVEMBER 23, 1864

From the Appendix of the Journal of the Senate, pp. 202-203

HEADQUARTERS STATE OF MISSOURI, ST. LOUIS, November 23, 1864.

WHEREAS, the enrollment in the Provost Marshal Department is very much larger than the actual number of men between the ages of twenty and forty-five years, in the State, capable of performing military service; and, whereas, by the increased enrollment, the quota assigned to the State by the Provost Marshal General is disproportionally large; and, whereas, authority is given by the

Secretary of War to have said enrollment corrected and revised, in order that the names of those disqualified on account of

First. Alienage.

Second. Non-residence.

Third. Over age.

Fourth. Permanent physical disability, such as to render the person an unfit subject for enrollment under existing laws and regulations.

Fifth. Having served in the military or naval service two years during present war, and having been honorably discharged, may be stricken off the lists.

Civil officers, clergymen and other prominent citizens are invited to appear at all times before the Boards of Enrollment to point out errors in the lists and to give such information in their possession as may aid in the correction and revision thereof.

The Provost Marshal General has directed the several Boards of Enrollment to hear and act upon claims for exemptions at all times.

And WHEREAS, every city, town and county has a local interest in the reduction of its enrollment and quota,

NOW, THEREFORE, I WILLARD P. HALL, Governor and Commander-in-chief of the State of Missouri, by virtue of the power in me vested, do issue this my proclamation, requesting and recommending the several cities, towns and counties in this State, through their local authorities, to take such measures as will insure the examination of all citizens between the ages of twenty and forty-five, that they may be stricken from the rolls or retained upon the same, as circumstances may determine, on or before the first day of January, 1865; and for the convenience of the citizens the several Boards of Enrollment will advertize the days and places at which they will meet for said examination.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Adjutant General's office to be hereunto affixed.

Done at the city of St. Louis, this, the twenty-third day of November, in the year of our
(L.S.) Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth.

By the Commander-in-Chief:

JOHN B. GRAY,
Adjutant General. WILLARD P. HALL.

TO THE PEOPLE OF MISSOURI

DECEMBER 29, 1864

From the Appendix of the Journal of the Senate, p. 203

HEADQUARTERS STATE OF MISSOURI, JEFFERSON CITY, December 29, 1864.

The President of the United States has found it necessary to call for three hundred thousand more volunteers for the Army of the United States, in order to prosecute the war with the necessary and proper vigor. The great successes of Generals Sherman and Thomas render it most important that renewed efforts should be made to destroy the staggering enemy.

The disorganized and discouraged rebel forces should not be permitted to recover from their late disasters. To this end every energy should be directed, in order that peace may be restored to the whole country at an early day. The experience of last summer proves that Missouri is liable at any moment to a destructive invasion while it continues. We have no hope for security of person or property in our State, except in the restoration of peace, and peace cannot and ought not to be restored until the rebellion is suppressed.

Missouri has done her duty nobly during the last ten months. From the 1st of February 1864, to the 30th of November, 1864, she has furnished over twenty thousand volunteers to the Federal army. I see no reason why she

should not do even better in the next ten months. There is a large number of discharged volunteers among us, and this number will be increased nearly ten thousand in a short time by the muster out of the service of the Missouri State Militia. Most of these veterans will reinlist if sufficient bounties be given them. I, THEREFORE, most earnestly recommend to the various counties and cities of the State an immediate appropriation of a liberal bounty to volunteers. No burthen will be so useful to the public, and, I believe, none will be so cheerfully borne.

In Testimony Whereof, I WILLARD P. HALL, Governor of the State of Missouri, have hereunto set my hand and caused the great seal of State to be affixed, this 29th day of December A. D. 1864.

(L.S.)

By the Governor: WILLARD P. HALL.

FRANCIS RODMAN,
Secretary of State.

MEMORANDA OF PROCLAMATIONS AND WRITS OF ELECTION

MAY 2, 1864

From the Register of Civil Proceedings, 1861-1868, p. 106

The Governor issued writs of election to the Sheriffs of the Counties of Lewis, Clark, Scotland, Knox, Adair and Schuyler ordering an election to be held in said Counties on Tuesday 21st day of June A. D. 1864, for the election of a Judge of the 4th Judicial Circuit of Missouri, to fill the vacancy caused by the death of the late Hon. Humphrey M. Woodyard.

JULY 27, 1864

From the Register of Civil Proceedings, 1861-1868, p. 116

The Governor issued writs of election to the Sheriffs of the Counties of Lewis, Clark and Scotland, ordering an election to be held in the said several Counties on Tuesday the 8th day of November 1864, giving at least ten days notice, for the election of a Senator from the Fifth Senatorial District to the 22nd General Assembly vice Hon David Wagner resigned.

AUGUST 26, 1864

From the Register of Civil Proceedings, 1861-1868, p. 120

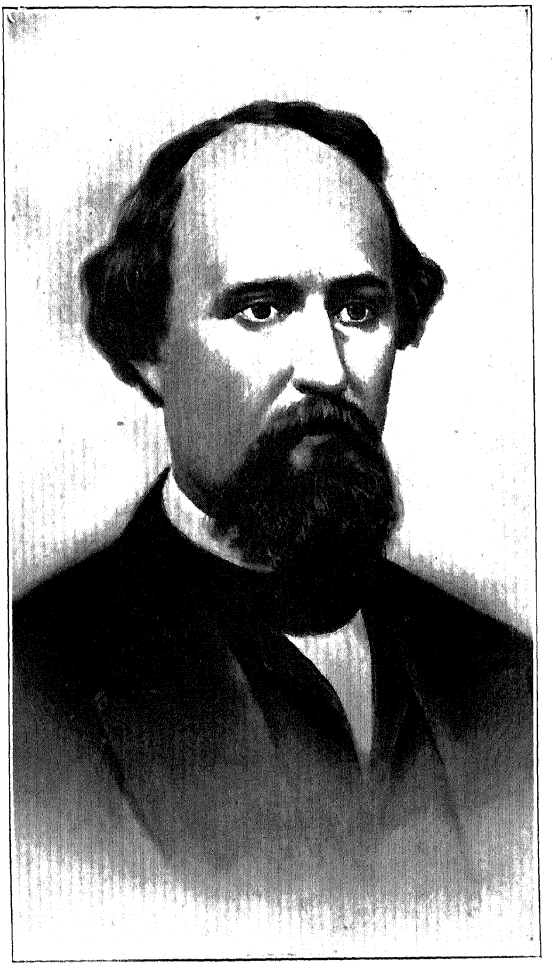
The Governor issued writs of election to the Sheriffs of the Counties of Atchison, Holt, Nodaway & Andrew, ordering an election to be held in said several counties, on Tuesday the 8th day of November 1864 giving at less ten days notice for the election of a Senator from the 11th Senatorial District to the 23rd General Assembly, *vice* Wm. Heren resigned.

SEPTEMBER 29, 1864

From the Register of Civil Proceedings, 1861-1868, p. 123

The Governor issued writs of election to the Sheriffs of the Counties of Pemiscot, Mississippi, Bollinger, New Madrid, Scott and Cape Girardeau, ordering an election to be held on Tuesday the 8th day of November next, ten days notice being previously given, for Judge of the 10th Judicial Circuit to fill the vacancy caused by Hon. M. Frissell, late indumbent being constitutionally over age.

GOVERNOR THOMAS CLEMENT FLETCHER



THOMAS C. FLETCHER
Governor 1865-1869

THOMAS CLEMENT FLETCHER

BY

JOHN H. REPPY

Jefferson county along its entire eastern border fronts the Mississippi river. Gray walls, mighty bluffs, turreted and embrasured, enriched by varicolored mosses, by climbing vines and shrubbery along its grim face and with the dark green of cedar in every sheltered nook and crowning each crag and pinnacle, show the stern character and beauty of the Ozark hills. Here and there along this front, green hillsides show, mounting steeply to the crests behind. Here and there between sombre headlands, pellucid streams march down to meet the mighty river. Where the "Swashen River," known now as Joachim Creek, flows into the Mississippi, is such a spot and marks the site of one of Missouri's earliest settlements, Herculaneum.

To this place in 1818, came Clement B. Fletcher and his wife, Margaret (Byrd) Fletcher, from the State of Maryland; both were descendants of early colonials, Mrs. Fletcher's ancestors having come over in 1634, with Lord Baltimore's Colony. Mr. Fletcher and his wife were cultured and refined people, and Mr. Fletcher, a merchant and astute business man. To this couple on January 22, 1827, was born a son, Thomas C. Fletcher, who was the first son of Missouri to be its governor. Scarce two miles north of this historic site, upon a bluegrass slope, looking out over the Father of Waters, is a simple rock-walled tomb, marking the last resting place of the fifth governor of Missouri, Daniel Dunklin.

At the time of Governor Fletcher's birth, Herculaneum was the county seat of Jefferson county and its cultural center. There were no public schools, but there were private schools, and among the teachers of Hercu-

laneum was one Willard Frissell, who came to Jefferson county in 1827 with his cousin Mason Frissell, later a distinguished Missouri lawyer, from the Berkshire Hills of Massachusetts. Thomas C. Fletcher was one of Mr. Frissell's pupils, and in later years Mr. Frissell frequently boasted that he was the only man in Missouri or elsewhere who had ever "licked the Governor." As the county seat and an important trading point, eminent lawyers gathered here, as did also that class of men whose natural abilities had made them leaders of the people. Such an environment was sure to arouse the ambition of a youth of Fletcher's type. Family tradition and culture spurred him on in an effort to secure an education. There were no ready-made amusements and few incidents to distract the mind. Amusements such as there were, were of home production and of course educational in their nature. There were no railroads, telephones or movies. Circuit court, county court, the stage-coach and an occasional steamboat were matters of greatest public moment. In such circumstances, it was natural for Thomas C. Fletcher to seek to acquire an education, and having secured the rudiments, he secured text books and applied himself to their mastery. So well did he apply himself, he was given work in the office of the clerk of the circuit court at the age of seventeen and on May 25, 1846, was duly appointed the deputy of John S. Brickey, the circuit clerk, and thereafter performed all the duties and three years later was elected to that office. The records made by him during his incumbency in office are models in brevity and in clarity of expression as well as models of chirography.

On April 16, 1851, he was married to Mary Clara Honey in Hillsboro, the ceremony having been performed by H. N. Watts, a minister of the Methodist Episcopal Church, South. The bride was born in Herculaneum, within a week or two of Governor Fletcher's natal day, and her maternal ancestors were of the Austin family, famous in Texas annals. Family history relates that the

parents of the children were very close friends and betrothed the children in infancy. Both the Honey and Fletcher families came to Hillsboro when the county seat was removed from Herculaneum to Hillsboro, and as early as 1843 the two were leaders in the community life of the new town. Local history preserves the presentation speech of Miss Honey as head of the Daughters of Temperance when a flag was given by the Daughters to the Sons of Temperance, and the speech of acceptance was made by Thomas C. Fletcher, of the Sons. The home built in Hillsboro by Mr. Fletcher for the reception of his bride is still standing and is in an excellent state of preservation.

The original rolls of bar membership for Jefferson county appear to have been lost and the present roll, into which was copied the names of all members who had been theretofore enrolled, gives the date of Thomas C. Fletcher's enrollment as May 1856. Records of the circuit court, however, show that he was admitted to the bar before that time, for in 1855 he was appointed guardian ad litem in cases pending in court. In 1856 he was appointed land agent for the Southwest Branch of the Pacific Railroad, now the St. Louis and San Francisco Railroad, and moved with his family to St. Louis.

During 1856, he campaigned southwest Missouri in advocacy of the election of Thomas H. Benton for Governor. Fletcher was strongly opposed to slavery, although he came of a slave owning family.

During the time he was in St. Louis he, in partnership with his brother-in-law, Col. Louis J. Rankin, purchased the site and laid out the town, now the city of DeSoto, and having built a home there moved with his family to the new town early in 1860. Elected a delegate to the National Republican Convention at Chicago in 1860, he was an earnest advocate of Abraham Lincoln for the nomination, and voted for him at DeSoto in November, 1860. He was a strong Union man, and as a supporter, became one of President Lincoln's trusted advisers

and was a close personal friend of General Nathaniel Lyon and Francis P. Blair in the troublous times dating from Lincoln's election to the fall of Fort Sumter in April, 1861. After the fall of Fort Sumter he volunteered his services and was appointed by General Lyon as assistant provost marshal general, with headquarters in St. Louis and continued in this service until the following year. In the summer of 1862, at the request of the President, he recruited the 31st Missouri infantry and it is due to his personal character that most of the Union men of Jefferson county were on the roster of the 31st, and among them were his two brothers, William and Carrol. He was commissioned colonel, receiving his commission in October 1862 and was wounded and captured at Chickasaw Bayou, December 29, 1862. He was confined in Libby Prison until his exchange in May 1863 and returned to his regiment and was present at the fall of Vicksburg. He served with his regiment in the battle of Lookout Mountain and in the Atlanta Campaign commanded a brigade of which his regiment formed a part.

On the night preceding the battle of Dallas, Georgia, in the Atlanta Campaign, after a long march with his brigade in the rain, Colonel Fletcher contracted a severe cold, which settled in his back, so that he was unable to mount his horse. He was advised to return home, by the regimental surgeon, and did so, his first visit to his loved ones in nearly two years. While at home recuperating, General W. S. Rosecranz, then commanding the Department of Missouri, sent for him and requested that he organize the Union forces in Missouri for the purpose of resisting the "Price Expedition." This was in August 1864. The 47th regiment of Missouri Volunteers was formed, and he was chosen colonel. He was asked to organize another regiment, which he did, known as the 50th of which the late David Murphy, of St. Louis, was commissioned colonel. The companies of these regiments were stationed in the counties where organized and had

never been drilled in battalion drill, when first called to face the enemy at the battle of Pilot Knob.

When Price captured Bloomfield, General Rosecranz assumed that Cape Girardeau was his objective, and St. Louis the great objective. Col. Fletcher was sent to the Cape and prepared defenses. When the confederate forces passed Cape Girardeau, Col. Fletcher went to Pilot Knob and reported to General Ewing. The command of the infantry was assigned to Col. Fletcher and preparations were hurriedly made for the defense of the Fort. The entire Union force available for the defense numbered less than 900 enlisted men and thirty-five citizen volunteers. Opposed to this little force were ten thousand Confederates. The battle lasted all day and resulted in a Confederate loss of 1486 killed and wounded while the Union loss was twenty-two killed, forty wounded and sixty-seven missing. A flank movement necessitated the evacuation of the position, which was successfully accomplished and a junction formed with General A. J. Smith.

While this battle was going on, the over-shadowing importance of other fields of action caused the battle of Pilot Knob to be overlooked in Civil War annals, but there can be but little doubt that the stubborn defense made at Pilot Knob saved St. Louis from capture, and as a defensive battle, has few equals in history. The Missouri General Assembly voted its thanks to Col. Fletcher and his associates and President Lincoln in recognition of his service brevetted him a brigadier general of the volunteer army of the United States.

It was while commanding a brigade in the army of Tennessee, under General William T. Sherman, in the "March to the Sea," that he was nominated by the Republican party as the candidate for Governor and at the election in November, 1864, he was elected by a large majority.

He was duly inaugurated and in his inaugural message to the Legislature January 2, 1865, he laid down the principles of reconstruction for which he stood and which

characterized his whole administration. He regarded all men who willfully and deliberately violated the law of the land as traitors to the Government. He was opposed to the test oath from the beginning, and urged liberality in dealing with those who manifested a sincere desire to become loyal citizens. In his inaugural message he says: "Being victorious everywhere, let magnanimity now distinguish our action; and having nothing more to ask for party, let us, forgetful of past differences, seek only to promote the general good of the whole commonwealth. While, therefore, we let past dangers teach us provision for future security, let us welcome to a participation in our coming prosperity and greatness as a State, all who unite with us in upholding and defending the authority of the Constitution of the United States and of the State of Missouri and of the laws enacted in pursuance thereof."

He was a friend of education and in all his messages his friendship for and his desire to aid and upbuild the State University is apparent and much was accomplished. He urged repeatedly the establishment of the Agricultural College and the department for military instruction and civil engineering were added to the University. Teacher's institutes were instituted throughout the State as a means for meeting the growing necessity for trained teachers for which he urged legislative support until Normal Schools could be established. He secured the establishment of a board of immigration and urged that it be encouraged and industry fostered, so that Missouri should not be laggard in the development of its wonderful resources, concerning which he was ever eloquent. "There is," he says, "enough of accomplishment already attained to nerve us on to the labor of regenerating our political structure, so as to cause it to blaze in the sight of nations of the earth, the brightest gem in the diadem of liberty."

To Governor Fletcher came the opportunity to emancipate slaves in Missouri, as President Lincoln's proclamation only extended to those territories in armed rebellion, and on January 11, 1865, Governor Fletcher issued his

proclamation "That henceforth and forever, no person within the limits of this State shall be subject to any abridgment of liberty, except as the law may prescribe for the common good, or know any Master but God."

At the beginning of Governor Fletcher's administration, the State had 826 miles of railroads widely scattered and in very poor condition. At the close of his administration the State had 1394 miles of completed roads and 569 miles under actual construction, a history, he says "of material advancement made in four years recorded in iron chirography." The sale of railroads during his administration has been much criticised, but these criticisms have been largely matters of partisan propaganda. From an economic standpoint, the student and thinker, viewing the matter after a lapse of over half a century, taking into consideration that the State was practically bankrupt at the time, must see that he acted in the only practical way to redeem the credit of the State and to procure the early completion of these roads, which were so essential to the development of the material resources of the State. Had the State held to these roads, rehabilitation of the State's finances must of necessity have been long delayed, the railroads must still further have deteriorated, and Missouri passed in the march of progress by her sister States. It must be apparent now to everyone, that had the State held on to these roads, that the great transcontinental systems of which they are now parts, could not, or would not have been built to connections with a few hundred miles of State owned roads. The unprecedented advancement of Missouri following these sales, and the extension of these lines from Lakes to Gulf and from sea to sea bespeak the necessity of the act. Governor Fletcher had vision enough to see the future and realized that whatever present criticism might be that the future would justify his action. St. Louis, as an industrial center, and when its adjoining neighbors and suburban population is included, still is the fourth city of the Union, owes its preeminence as a trade and industrial center to

the wisdom of Thomas C. Fletcher in disposing of the railroads. The Governor's recommendations were not always carried into execution, for in his messages he urged that inasmuch as the State had aided in building these roads, that they should be required to pay a small percentage of their gross earnings to the State which would in time grow into a sum sufficient to carry on the expenses of the State Government without the levy of taxes for that purpose.

Other States and the Federal Government did to some extent what he recommended and the saving to the Federal Government in the transportation of its supplies and the mails, over land grant railroads, amounts annually to a sum that must closely approximate the then whole value of the land granted.

During his administration more school houses were built in the State than had been built since Missouri became a State. The population of the State increased from nearly a million to approximately one million five hundred thousand. The assessed value of property in the State arose from $200,000,000 to $500,000,000. The State debt was decreased during his four-year term to the extent of twenty-three million dollars, leaving an indebtedness of $18,645,000 of which $13,734,000 was due on account of bonds issued to aid the railroad and there was a treasury balance of $2,411,060.00.

Whatever else may be said in criticism, his honesty and personal integrity have never been questioned by friend or foe. While Governor he turned back into the treasury an appropriation of $20,000.00 for a governor's mansion and lived in the old house, because the State's needs were great, but in his final message he urged the necessity of such a mansion. Fierce hatreds and intense partisanships the inevitable result of war were at the highest point during his administration. He was naturally a partisan, but because he had suffered the wounds and hardships of the conflict, he had a profound respect for his

honest opponent who sought to enforce his will in honorable battle and urged that the proscriptions of reconstruction be lightened for these; and that bushwhackers and guerrillas be utterly proscribed. He did not believe it was necessary to destroy in order to reconstruct and sought honestly and honorably to salvage the true manhood of the State and build it into the body politic, of what he was pleased to call, Free Missouri.

Governor Fletcher was chairman of the Republican State Convention in 1868 and supported General U. S. Grant for president. After the close of his term of office, as governor, he removed to St. Louis and engaged in the practice of law and sometime thereafter removed to Washington, D. C., and engaged in his profession there, until his death March 25, 1899. His remains were brought back to his home State and interred in Bellefontaine Cemetery, St. Louis. Governor Fletcher was devoted to his family and there was never more faithful cavalier than he. He has only one living descendant, Mrs. Perry Fletcher Barthlow, of St. Louis, and a glimpse of the man he was at home is to be found in his letters written to her from various parts of the country. The letters are descriptive of his travels, or if at home, descriptive of all those things that he considered to be of interest to his loved one, and are splendid specimens of the lost art of letter writing. His life was not spectacular, but he was sincere in all his public service. At a time when opportunity was ripe for men of his position to reap unworthily, it can be truly said of Governor Fletcher that no hint of personal use of power for mercenary ends ever touched his life. He did his duty as he saw it with courage and fidelity, and to the end of his days remained the personal friend of the most lowly of those who in youth and young manhood were his associates. He was born a gentleman and remained one through all his days. The Ozarks gave him to Missouri and endowed him with their own inflexibility. He served his County, his State and his Nation with all the seal of the Cavalier and with the in-

tegrity of the Puritan. When time shall wear away the last vestige of partisanship and Thomas C. Fletcher's service is more fully known, he will stand high in the ranks of those who have been most instrumental in achieving Missouri's greatness.

INAUGURAL ADDRESS

JANUARY 2, 1865

From the Journal of the Senate, pp. 34-40

Senators and Representatives:

In the name of Truth, of Justice, of Freedom, and of Progress, God has permitted us a political triumph, bringing with it the solemn responsibility of promoting those great principles by an enforcement of the fundamental law for securing the peace, happiness and prosperity of the people of the State.

Through the blood and fire of a civil war, we have attained to a new era, effulgent with the glory of the decree of the People in their sovereign capacity, emancipating themselves from servitude to principles and policies which have weighed down their energies, opposed barriers to their progress, and armed the hand of Treason for the shedding of patriot blood.

The only instance in the world's history of a rebellion against an existing Government in the name and for the sake of Slavery, has resulted in the enlargement of Liberty; and the retributive Nemesis has sent the system of Slavery crashing down to hopeless destruction in the conflagration of a civil strife lighted by its own hand.

All men fit to be citizens and partakers of the common rights accorded men in civilized communities, must regard and treat as final and conclusive the recent deliberate and solemn verdict of the people of Missouri, rendered in the full exercise of reason restored by the calamities of the war, in favor of closing the gates of Janus and restoring the power of the civil law, and against the mad attempts to defy the authority of the National Government. The civilized world which has been observant of, not less than our own community which has been participant in this unparalleled

conflict, must, in that verdict, acknowledge that the position of Missouri, in the van of the free and progressive States whose attachment to the Union defies earthly power to rend, is as enduring as our own eternal and solid mountains of iron, which, based in the deep center of our State, lift their firm brows toward the sky in colossal majesty.

Being victorious everywhere, let magnanimity now distinguish our action; and, having nothing more to ask for party, let us, forgetful of past differences, seek only to promote the general good of the people of the whole commonwealth. While, therefore, we let past dangers teach us provision for future security, let us welcome to a participation in our coming prosperity and greatness as a State, all who unite with us in upholding and defending the authority of the Constitution of the United States and of the State of Missouri, of the laws enacted in pursuance thereof, and of the officers selected for their enforcement.

Behind us we leave the wrecks of old institutions, and all the bitter memories of the terrible Past, retaining only the lessons of wisdom our experience of them has taught us. Before us, glowing with promise and fruitful with hope, is the mighty Future; but be assured, that in readjusting the framework of our torn community to its requirements, we shall need, to enable us to grasp that promise and realize that hope, all the energies of our truest and best citizens.

In point of physical advantage, in the combination of all the elements of wealth, in the invitations that are held out to enterprise, and in the magnificent and swift rewards that wait on industry, no area on the Western Continent containing an equal number of square miles, can compare with our own State. While embracing a greater number of acres of good agricultural land than any other State in the Union, Missouri has more iron than all the other States combined; lead in quantities greater than elsewhere discovered in the world; mines of cobalt and zinc, and lodes of copper; whole districts of country underlaid with strata of coal; almost illimitable forests of the most useful timber,

including the giant resiniferous pine, inviting the hand of unshackled industry and liberal enterprise to gather its wealth; prairie and forest diversified everywhere by streams affording unequaled water power; one of the largest rivers of the world flowing through her center, and another washing the whole length of her border.

In contemplating our natural resources, gratitude for their bestowment and pride in their possession struggle for the ascendency; and we are more grateful and prouder still in reflecting upon the heroic resolution with which our noble State has shaken off a thralldom fatal to prosperity and at war with justice—has buried the dead Past, and advanced the standard of Freedom as the emblem of her future faith. We have every reason to incite us henceforth to great achievement. We have a State that promises to be the grand central figure of a cluster of republics, victoriously emergent with new splendor from the recent conflict of industrial systems. There is enough of accomplishment already attained to nerve us on to the labor of regenerating our political structure, so as to cause it to blaze in the sight of the nations of the earth, the brightest gem in the diadem of Liberty.

Henceforth Missouri shall be an asylum for all nationalities and races and peoples; the repository of wealth, and a theater for the development of the labor and enterprise of the hand and spirit of Industry; and the home of free thought, free speech and a free press, where the prejudices of caste and class have no legal embodiment or political encouragement. She shall be a central mart for the interchange of the products of the North and the South, the East and the West, through the rivers of her great basin and the system of railways centering in her metropolis. She shall be a highway for the commerce of the two oceans, borne by the inland transit lines that carry the freights between Europe and Asia. She shall proffer a secure and guarded repose to all consciences and all religious beliefs, untied by any secular control, yet upheld and encircled by a public sentiment upon which faith in God has taken a new

hold from the experiences of an unparalleled national preservation.

Let it be announced that in the new era which has come, ours is to be the first of States, with the largest freedom and the widest charities. Let this be a State where, with the administration of inflexible justice, the abandonment of mere partyisms, and the domination of industrial politics, all the advances of statute law progress towards combining labor and capital, rather than placing them in the cruel antagonisms of the Past; where the light of hope is shut out by the fundamental law from no human being of whatever race, creed or color; but where a free people, heeding the stroke of inevitable destiny on the horologe of Time in the great crisis of changeful progress, guards the right of permitting the position and privileges of every man to be such as his virtues, talents, education, patriotism, enterprise, industry, courage or achievements may confer upon him.

It should be our effort to preserve harmony, in every department of the State Government, with all the measures of the National Administration. We have the sympathy of the Federal Executive in the sufferings and losses entailed on us by the War, and in our consequent intolerance of treason and rebellion. The strong hand of the General Government may be relied upon to sustain the patriotic, prudent and vigorous measures of unimpugned loyalty.

I hope an early act of the Legislature will evince an appreciation of the services of the men who, by their heroic bravery, have made the name of a Missouri soldier a proud title. While the loyal people of the State, and the soldiers themselves, testify their feeling by generous contributions for the support and education of the children of our dead heroes, their efforts should be met, if it be necessary, by liberal legislative action, even though, in order to avoid the imposition of additional taxes upon our distressed people, it should have to be done at the expense of industrial interests heretofore aided by the State. Give the orphans of war—the children of the People—a home and a culture

of mind to fit them for preserving the institutions in defense of which their fathers died.

In this connection I would call your attention to the propriety of the expression of the gratitude of Free Missouri to the loyal men of her sister Free States who have stood beside us, and made many of our mountains, hills, valleys, prairies and river shores historic by their bravery in our defense.

It is a duty to ourselves, so far as possible, to put every influence, power and benefit conferred by civil and military office in the State in harmony with the spirit of the principles and policy indorsed by the people in the recent election; and I must add, that for all appointments to be made by the Executive, I shall prefer the men who have served with honor in the field in defense of the Union, they possessing equal qualifications in all other respects with other applicants.

Our educational system should receive at all times the earnest care and consideration of the Legislature. It must be so moulded as best to resist the inroads of war, and conserve the ends of peace. Perhaps no better foundation can be had than the admirable Common School system now so well organized and engrafted upon our public policy. To this, however, a superstructure should be added, different from that which has hitherto obtained. The requirements of self-defense will suggest that more attention be given in our educational course to those departments of instruction which qualify for military service. And in devoting our energies to the means of supplying more extended knowledge to the young men of our State, it would be well to confine the furnishing of such facilities to those scientific branches which may contribute most directly to the practical purposes of life, and to the immediate development of the resources of the State.

There are two offices which belong to education: the first is the imparting of a clear understanding of elements, and the second is the application of those elements in drill and practice. I rejoice to see that the educational tendencies of the day throughout the country are manifested

in the foundation of schools for specialties of instruction, agriculture, the only firm and immutable foundation and source of a nation's greatness, receiving the largest share of attention.

I would, therefore, recommend in this connection a revision of the organization of the State University, and its transformation into two or more departments bearing directly upon the agricultural and mineral wealth that so abounds in our State; and that it be recast and relocated, if this shall be deemed expedient for its new design, and constituted a free academy, devoting itself to the task of gathering the statistics of our resources, to invite immigration; furnishing brief yet full courses of instruction, that may fit the farmer for more scientific methods of culture of the soil and advance the very important interests of horticulture; and sending forth annually hundreds of young men enlisted in bringing to light the mineral masses that vein our soil, or superintending the development of those already found. Such an institution would at once become an efficient instrument of progress, and would repay tenfold whatever expenses might attend its inauguration and support. If necessary, to increase its endowments, I recommend the sale of the State Tobacco Warehouse property, and the investment of the proceeds for that purpose.

I also recommend the revival of the law providing for a Superintendent of Common Schools.

The law for the organization, government and support of the Militia should be so modified as to secure its adaptability to the condition of the people of the State, and the greater efficiency of an arm of the service upon which we are to rely, in the future as in the past, as an indispensable means of our security in time of invasion, and to local organizations to which we are to look as the means of ridding the State of the bands of murderers and robbers who are yet prowling in our forests. The right of citizenship and of a home in Missouri ought to be inseparable from the duty of assisting in its defense. No sum of money should be adequate to the purchase of the exemption of an able-

bodied man from this duty. Numbers of men will not compensate for want of skill in the use of arms. The men should be so classified, that one-half of them may be called into service, when the exigency requires it, without detriment to the ordinary and now so necessary peaceful pursuits of life. Thorough drill and discipline will render one-half equal in efficiency to the whole number of imperfectly instructed and undisciplined men. A bill embodying my view on this subject is in course of preparation, and will at an early day be presented for your consideration.

The officers of the militia must be men imbued with true courage and the spirit of reaching a final result in this war, who understand the principles of our government, which require the subordination of the military to the civil authority, and who are efficient in drill and discipline.

Another decade of years brings the labor of revising our statutes, increased by the necessity of conforming them to the new Constitutional provisions about to be made. Great care should be taken, in framing our general laws, to prevent special legislation, by obviating as far as possible its necessity.

The amendments to the Constitution will require the erasure of the word "slave" from our statutes, the abolition of all distinctions of color in the law relating to crimes and their punishment, and the abrogation of all laws for the fostering and protection of the interests of slavery.

The enforcement of the civil law to repress the tendencies to lawlessness begotten of treason, will probably add to the number of convicts usually employed in the Penitentiary. The object of the law being the reformation as well as punishment of convicts, I call your attention to the manifest inadequacy of provision made for the employment of a Chaplain for the Penitentiary, and recommend that such compensation be provided as will secure the entire time and effort of a competent man, for their moral and religious instruction.

The act concerning elections will, it is hoped, have to be so amended as to meet the requirements of new constitu-

tional provisions for guarding the palladium of our liberties against the wily and unscrupulous approach and unsanctified touch of alien enemies, whose hands are stained with the blood of Union men, of traitors who have alienated themselves by flight beyond the jurisdiction of the United States to avoid duty to the government or escape punishment for the crime of treason, and of men who have written their own infamy by enrolling themselves as in sympathy with treason and rebellion, and who have not since erased it by the services and conduct of patriots.

More effectually to guard the ballot-box, a law is necessary requiring a registration of all qualified voters in each county, and permitting only those to vote who are thus registered. Men who have by rebellion disavowed allegiance to the Government, should be permitted to regain the privileges of citizenship only through the means provided by the naturalization laws of the United States; while to the liberty loving foreigner who makes his home under the government of his choice, and for which he is willing to fight, liberal laws should be enacted as soon as permitted by the letter of the State Constitution, shortening the probationary term preceding his investment with the elective franchise for all the purposes of State election.

We should be connected, through an agent, with the Immigration Bureau, and take the necessary measures for the collection and publication of statistical information, not only conveying to the energetic and enterprising inhabitants of the more densely populated states, as well as to those of foreign countries, a knowledge of our mineral wealth, of the fertility of our soil and of the cheapness of our land, but also bringing home to them the facts of the adaptability of our soil and climate to the cultivation of the grape and the growing of fruits. The wines and fruits of Missouri will be sources of incalculable wealth, as has been demonstrated by our own people. The very perfection of fruits has been obtained here, and our wines are becoming the favorites wherever their excellence has been tested. Show to the immigrant the advantages we possess

for wool growing, and that he may graze upon our hills the flocks from which may be sheared the greater part of the 100,000,000 pounds of wool annually imported from foreign countries for our manufactories. Let the exhibition of samples of our hemp and tobacco attest their superiority, accompanied by facts and figures showing the enormous returns yielded by our fertile soils in these and other productions. And bid them come, where the abundance of industrial resources renders labor independent, and will make freedom perpetual.

To secure the return of the Union men, who, unable to fight, have sought safety in the Free States, it is only necessary for them to know that the military policy now adopted in Arkansas and Missouri will prevent the return of the armies of the enemy to our soil; that the united action of our own people will soon free us of the presence of the lawless depredators who, in small bodies, yet infest some parts of the State; that loyal men will be secure in life and property, while traitors wanting security to either will cease to intrude their presence upon us; that the policy of the Department of the Missouri is, unheralded, silently but effectually to stamp enduring peace on the State, and ere long to make the voice of the law potential in all its hitherto silent forums; and that Free Missouri, like all other Free States, will only hear the distant clash of arms without interruption to the prosperity of her people.

We must deeply regret, as one of the great calamities of the war, that we have been deprived of the means of meeting the obligations of the State, one of the results of which has been the accumulation of a large amount of unpaid interest on our bonds, as shown by the able and very satisfactory Message of my predecessor.

The subject of our indebtedness, and the present and prospective condition of our finances, should be carefully considered, with a view to the restoration of the credit of the State. I suggest that if the General Assembly can, at this session, devise the ways and means for the uncertain expenses of our militia, for defending the securities of our

creditors, as well as our homes, and determine our financial condition in the future, so as to place beyond doubt our compliance with any new undertakings, we fund all our over-due coupons, including those to a date to which our bond-holders may look with certainty for the payment of a per centum of accruing interest, and provide for funding the remainder, increasing the per centum of payments annually until we can meet the whole of the coupons as they fall due; the bonds thus to be issued for accrued interest, and the portion of interest we are hereafter unable to meet, to be styled interest bonds, to carry no interest for, say three years, then three per centum per annum, increasing the rate of interest one per centum per annum, for two years, the maximum rate of interest to be five per centum, to run twenty years from date. If the prospects of our several railroads taken into consideration justify it, discrimination should be made in the time of resuming payment of full interest on their bonds.

Let our undertakings be only such as we can certainly meet, and let them at the same time be such as become a people whose honesty is unshaken by misfortune, who are resolved to pay their debts, and who have only to let prudence and energy characterize the management of their known assets and resources, to preserve the confidence of their creditors and insure their ability to meet their obligations.

We have seven Railroads, with an aggregate of 826 miles of finished railroad in the State, for which we have incurred liabilities amounting to $23,700,000, exclusive of interest. The only finished railroad in the State promptly meets the interest on the three millions of bonds issued to aid its construction. All the other roads are in default of payment of interest due by them. They are ample security for the amounts advanced to them respectively. Almost the whole debt of the State has been contracted on their account. All the interests of the State, and the attainment of the greatness to which we aspire, are involved in their completion. If the light of events has revealed that we

have committed an error in attempting to build up at once a whole system of railroads, instead of directing all our means and energies first to building those most necessary to our wants, and consequently most certain to yield large net earnings, let us at once seek to correct that error. If, in the present or a changed relation of the State to them, we cannot command the means for their completion, and if they cannot be made to yield at least a portion of the accruing interest on the bonds loaned them respectively, with reasonable prospect of their completion or increased net earnings, enabling them to meet the whole interest, then it will be our duty, in order to restore the credit of the State and to save the people from burthensome taxation, to foreclose our first mortgage liens on them, and by their sale reduce the State debt to a sum within our easy control, and, private enterprise failing to do so, trust to our future prosperity to afford the means for their completion.

These important questions will be the subject of a special communication which I shall hereafter have occasion to make to the General Assembly.

I recommend that all charters heretofore granted to railroad companies or other corporations, and forfeited by non-user, be repealed.

I call your attention to the propriety of using all the power possessed by the General Assembly over our railroad and other corporations, to compel the exercise of their entire influence in favor of loyalty. I hope that every privilege and benefit accorded them will be coupled with the condition of forfeiture or penalty for knowingly contracting with or employing a traitor, and that the power to enforce such forfeiture or penalty may be conferred on the Executive. There are no degrees in loyalty; and whoever refuses to use all the influence he is possessed of in favor of upholding the authority of the National Government, is a traitor.

The victorious armies of the Republic are with deadly thrusts piercing the enemy on every side. The giant Rebellion, bleeding at every pore, begins to reel and faint. Our Sherman, with his veteran braves, stands on the Ocean's

beach, gazes back at the last deep mortal wound inflicted, and waits only to see if another is necessary. The legions of Grant, Butler, Sheridan, Thomas and Canby, are rushing on to complete the work. The coming spring-time will bring the final blow, and amid the battle-cry of Freedom the death of the Rebellion will be consummated, and blessed Peace once more breathe its benisons over the land.

Reposing implicit reliance in that Power to which all earthly authority is subject, and assured that, if we are true to ourselves, a wise and just Providence will lead us up the golden stairs of a radiant Future, to the attainment of the high destiny clearly marked out for us in the bestowment of our wondrous material resources, I assume the responsibilities and undertake the labors of the position assigned me by the too generous partiality of the citizens of my native State. As your fellow-laborer, I claim your assistance, your confidence, your forbearance, and your sympathy. While doubtful of my own abilities, I yet have unfaltering faith that all earnest effort to support and advance the true principles of Republican Government, as approved by the intelligence and patriotism of the American People in the recent election, will secure me the encouragement and engird me with the support of the loyal men of Missouri, and enable me, when my official term shall expire, to resign back into the hands from which I receive it the trust now committed to my charge, strengthened and adorned by the application of radical democratic principles.

THOMAS C. FLETCHER.

ADJOURNED SESSION MESSAGE

NOVEMBER 3, 1865

From the Journal of the Senate, pp. 9-18

Senators and Representatives:

Since your adjournment in February last, the mightiest of events have transpired in our country.

The prediction made in my first communication to you, that the ensuing spring-time would bring the final blow to the Great Rebellion, was verified, and the conflict was brought to a close in a manner entitling the men who won the victories of the Union to the lasting gratitude of the nation. The supremacy of the national authority has been triumphantly asserted, and its permanence definitely and indubitably assured.

The joyous ringing of bells in celebration of this grand consummation was suddenly changed to the tolling knell for the loss of our President, the good and the true, whose most foul murder constitutes the last chapter in the record of the slaveholders' war, and will furnish to the peoples of all the future the most conclusive evidence of the diabolical purposes of those who aimed the deadly blow at the life of liberty, and drenched the whole land in blood, in the hope of dedicating it forever to human slavery.

Fortunately for the nation, the law made a successor to Abraham Lincoln, in the person of one who has, by a life-long struggle with the aristocratic and domineering spirit of the Southern slaveholder, learned to rely upon the virtue, intelligence and power of the masses of the people, and been made alive to that genuine philanthropy which seeks to widen the liberty and elevate the condition of every human being.

We have great reason for thankfulness to the Giver of all blessings, that in our own State the alarms of war

were hushed in the stillness of a peace so profound that we have only been able to realize it by the evidences of a returning prosperity seen and felt on every hand.

You have reassembled under circumstances calculated to inspire high hopes in the breast of every true citizen, and which call for the earnest efforts of patriotism and statesmanship towards securing to our State that greatness which a mere partisan view fails to comprehend.

Your present action will probably affect some of the great interests of the State far into the future, and must augment or diminish in a large degree the prosperity which is just now opening up to us in our new-born day of liberty and progress. Coming, as you do, immediately from the people, with whom you have mingled since your adjournment, you are well prepared to reflect their intelligent views, and carry out their honest purposes.

I shall as briefly as possible avail myself of the constitutional privilege of giving you such information relative to the condition of the State Government, as will, in my opinion, aid your labors, and of recommending to your consideration such measures as I deem necessary and expedient.

The most important of these relates to the subject of our finances.

The State Treasurer reports the total receipts into the treasury for the fiscal year ending September 30, 1865, at $2,463,909.03, and total expenditures at $1,854,661.77, leaving a balance in the treasury of $609,247.26, of which balance $105,535.28 is in currency, and $503,711.98 in Union Military Bonds and other issues of the State.

The total bonded debt of the State, exclusive of bonds loaned the several railroads, is $602,000, of which amount $402,000 matured in 1862 and 1863. For these matured bonds I have, in pursuance of the act of January 2, 1864, exchanged new bonds, having twenty years to run, to the amount of $260,000. The bonds thus taken up have been delivered to the Auditor to be canceled.

In pursuance of the act of February 15, 1864, I have made settlements with the following named banks: Bank of St. Louis, Exchange Bank, Farmers' Bank, Western Bank, Mechanics' Bank, Merchants' Bank, and the State Bank. I found the aggregate of bonus due the State by these banks to be $181,461.63, including interest, and that they had advanced Governor Gamble, inclusive of interest to settlement, the aggregate sum of $121,699.80, and have paid into the State Treasury $117,910.97 in money and coupons of bonds held by them under their charters. The bonds are in course of preparation for the balance due by the State to these and other banks which hold Governor Gamble's checks for portions of that loan.

Under the act approved March 2, 1861, I have signed and delivered to the proper officer sixty-seven bonds of the State, to be exchanged for seven per cent. bonds of the Pacific Railroad, guaranteed by the State for the construction of the Southwest Branch of the Pacific Railroad.

I herewith transmit a statement of the State Treasurer, showing the condition of the State Interest Fund. The total amount of bonds of the State loaned to the railroads, including the bonds guaranteed by the State, is $23,701,000, on which the accrued and unpaid interest up to January, 1866, will be $6,316,090, the annual interest being $1,307,850.

In my inaugural message I made some suggestions in reference to this indebtedness, and a committee was appointed by you to consider the subject during the recess. The restoration of the credit of the State, by providing for the over-due interest on these bonds, without creating an additional burden of taxation, is a question of the highest importance, as is also the securing of a resumption of the prompt payment of interest, as early as it can be done with certainty of continued ability to maintain such payment in the future; and these considerations may induce me, during the session, to communicate specially to you my views in reference to those questions.

The total amount of Defense Warrants and Union Military Bonds issued for the pay of the Enrolled Missouri

Militia for services rendered prior to the 10th of February, 1865, including the loan by the banks to Governor Gamble to purchase arms, together with interest on said bonds and loan to this date, is $7,046,575. The appropriation made by the act of February 20, 1865, will fall short of the amount due the Enrolled Missouri Militia for services up to that date, the sum of say $500,000. There is due the Missouri Militia, called into service at the request of Major General Dodge, commanding the Department of the Missouri, including expenses attending the enrolling and organization of the militia, say $500,000. There is due for irregular claims and the Quartermaster's Department, say $250,000.

I have caused all the evidences to be prepared for again presenting the claim of this debt to Congress, and confidently rely on the justice of that body for the reimbursement of the State in the sum we have thus been compelled to expend in defense of the flag of the Union.

Our railroads occupy the foreground of the picture which reason and experience present of the coming greatness of our State.

The completion of the Pacific Railroad to the Western line of the State, is a subject of sincere congratulation. The business of this road will exceed the most sanguine expectations; and though its earnings are pledged till 1871 to pay advances made for its completion, we may rest assured of the prompt payment, after that date, of accruing interest on the bonds loaned the road by the State. The State has been liberal in assistance to this great enterprise, and the men who have brought it to a successful issue, by the use of their time and individual credit, made it a first class road, and secured the State beyond peradventure from ultimate liability for any part of the $7,000,000 of bonds loaned to it, may well be proud of their achievement. But the greater praise is due the liberal people of St. Louis, whose crowning act of public-spirited generosity gave the last loan, without which it could not now have been completed.

THE SOUTHWEST BRANCH RAILROAD has, by mere operation of law, become the property of the State. I recommend that provision be made for disposing of it on terms which will secure its completion. I need not urge the importance of opening a highway to the southwestern portion of our State, for the thousands of immigrants who are looking thither for homes, and who, finding there all they desire in the way of resources and advantages, would soon, by their enhancement of the taxable wealth in that region, amply compensate the State for all liability assumed in the construction of the road.

The liability of the State on account of this road is $4,500,000, with over-due interest, say to the 1st of January next, amounting to, say $1,350,000. To permit this interest to go on accumulating at the rate of $270,000 per annum, while the Southwest remains shut out from communication with the centers of trade, is a policy for which I hope the members of this Legislature will not become responsible.

The building of this road can now be secured. Before the enterprising capitalist not only does there lie the indescribably rich country embraced in thirty counties of Southwest Missouri, to be drained of its surplus productions, and its wants to be supplied by this road, but the Indian Country west of Missouri, Southern Kansas and Northwestern Arkansas, are to be tributary to it. And, better than all this, a railroad connection is promised this road, at the western border of the State, with the Leavenworth, Lawrence and Fort Gibson Railroad, which connects with the Union Pacific Railroad. This latter road is being rapidly pushed westward, and the work upon it will never cease until its cars are unloaded into ships lying in the Bay of San Francisco.

Again, the Southern people must have a connection with the Union Pacific road, and a railroad is already constructed a hundred and fifty miles northward from Galveston, Texas, liberally endowed with lands and destined soon to reach Fort Gibson, while Congress will undoubtedly aid

the enterprise of the men of comprehensive policy who are laboring to give the South the desired connection with the Union Pacific road by means of the Leavenworth, Lawrence and Fort Gibson road.

Thus, within a dozen miles of the western line of our State, there will be a connection for our Southwest Branch Railroad, the importance of which can only by estimated by taking into consideration the fact that it will form a direct route of trade and travel from Galveston to St. Louis, and the shortest line from the gulf coast to New York. The construction of about 550 miles of railroad, in addition to that now built on this route, will connect St. Louis and Galveston, over a line less than eight hundred miles in length. For the construction of our part of this road, about two hundred miles, we have one million and thirty-three thousand acres of land, the value of which, for agricultural purposes, is sufficient to build the road, and the mineral wealth of which is incalculable.

There is now completed and in good condition and rnnning order, of this road, seventy-six miles, from Franklin to Rolla, the cost of which has been $2,552,087. Beyond Rolla twelve miles are graded, and an additional twenty miles partly graded, with two tunnels partly cut, the cost of this unfinished work having been $546,852. There is the following rolling stock belonging to the road; six engines and tenders, forty-six freight cars, and two passenger cars, which cost the aggregate of $116,132, and tools and machinery which cost $783. With this basis I have no doubt capitalists can be found who will take the road and complete it. It is due the people of the Southwest that this communication should be given them at the earliest practical period, and the truest and highest interests of the State will thereby be promoted.

THE IRON MOUNTAIN RAILROAD has, by dint of extraordinary exertions, been put once more in good condition. The perseverance and energy which replaced the bridges and depots burned by the rebels, and again

repaired the immense damage caused by an unprecedented flood, is highly commendable in the managers of the road.

To this road the State loaned her credit for $3,501,000, the interest on which is due since January, 1861. I submit to your consideration the advisability of selling this road. Private enterprise, once possessed of the eighty-six miles of finished road between St. Louis and Pilot Knob, would soon be enabled to push on to Columbus and obtain a southern connection. The country to be developed by this extension is the richest portion of the State of Missouri. Its minerals and timber are of a value incredible to those who are not familiar with that portion of the State, while perhaps its greatest wealth is in the agricultural resources of the great plateau of the Southeast.

I need not urge your action in a matter of such importance as the extension of this road, nor need I say to you that until it passes into the hands of private enterprise, at such cost as will warrant prudent men in buying it, it will never be extended, and the rich section south of Pilot Knob will remain sparsely populated and undeveloped, while the accumulating interest on the debt of this road will go on to aggregate the liabilities of the State for and on account of a security insufficient and constantly decreasing in value.

To the Cairo and Fulton Railroad the State has loaned her bonds for the aggregate of $650,000. The interest due and unpaid thereon amounts to, say $175,000. I recommend that provision be at once made for the sale of this road, with all its franchises and property on which the State has a lien.

The Platte County Railroad promptly paid its July interest. The better to secure the payments agreed upon by the Weston and Atchison and Atchison and St. Joseph Railroads, as provided in the act passed at your last session an additional mortgage has been given me by those roads for the amount of the total debt and interest due by the Platte County Railroad.

The North Missouri Railroad, so liberally assisted by you at your last session, has thus far failed to negotiate for the money to make the extension to the Iowa line, and to build the West Branch and the bridge at St. Charles. You have made the securities they are now offering the best ever put on the market by any road in this State. I have no doubt their value will soon be understood, and that the company will be prepared to commence the work at an early day. A prominent feature in the picture heretofore alluded to is the road which shall connect our railway system with that of Iowa, and bring thence a tide of trade and travel to aid in pushing on the extension of our roads to southern connections.

The Hannibal and St. Joseph Railroad continues to meet the interest promptly on the $3,000,000 State bonds loaned for its construction.

The Union Pacific Railroad, one of those works of stupendous magnitude, destined to mark the present period in our nation's history, and upon which posterity will gaze as a monument of the glory of their ancestors, is the iron way which is to connect the Pacific coast with our system of inland highways, and bind the country with a continuous line of road from ocean to ocean.

I hope the General Assembly will urge upon Congress the importance of aiding a central location for such road, extending the track now built due west by way of the Smoky Hill route, thus securing to Missouri and the States south and east the most direct communication to the Pacific coast.

I renew the recommendation made in my inaugural message in reference to the creation of a department of agriculture in connection with the State University. This is required to be done by the fourth section of the fourteenth article of the Constitution.

Under the act of Congress of July 2nd, 1862, the State is entitled to three hundred and thirty thousand acres of land for the endowment of a college for the benefit of agriculture and the mechanic arts. This munificent grant was

accepted by the Legislature in a joint resolution approved March 17th, 1863. By the second clause of the fifth section of the act of Congress above referred to it is provided that no part of the fund created by that act shall be applied, directly or indirectly, to the purchase, preservation or repair of any building or buildings. The State University buildings are ample for the purposes of a Department of Agriculture, and the use of them therefor will save the State the expense of the erection of other buildings, at least until buildings shall be erected elsewhere and offered to the State for this purpose. The lands granted by Congress must, according to the provisions of the act, be selected within our own State, providing there are sufficient unentered lands in the State for that purpose. Of such lands there now remain about five million acres. As the best lands are being rapidly sold, I cannot too earnestly urge upon you the importance of early action to secure the selection of these lands.

The subject of agriculture is one ever entitled to the careful consideration of legislators, and especially commends itself to your attention in the present crisis of our history. The husbandman toils on in humble silence while far less deserving interests receive greater fostering care and substantial assistance at the hands of the Legislature. No people have greater reason for pride in the tillers of the earth than we in Missouri, and the elevation of the art of cultivating the soil to a science, is among the first duties of a free State. Let us have an Agricultural College to which the farmer can point with pride, and in which his sons can be prepared to follow more successfully the honorable calling of the parent.

As agriculture is the basis of the wealth of a nation, so is education the safeguard of its liberties. Our own Constitution provides that the right of suffrage in every male now ten years of age or under, shall be dependent on his ability to read and write when he becomes of age. The General Assembly should not fail to exercise the power given by the Constitution to compel parents to send their

children to school. A careful revision and amendment of the law for the organization, support and government of common schools is essential to adapt it to the provisions of the Constitution, and to make it systematic, plain and practicable. It is your duty to prescribe the powers and duties of a Board of Education, and to provide for the appointment of a Superintendent of Common Schools, until one is elected as required by the Constitution.

The Constitution also directs the establishment and maintenance of a State University, with departments for instruction in agriculture and natural science, and a Normal professorship.

The State University at Columbia is situated in the central and a fertile portion of the State. The buildings are large, substantial, and indeed elegant, and were erected without cost to the State. This institution is endowed with the fund arising from the sale of the land granted by the act of Congress of March 6th, 1820, to this State, for the use of a seminary of learning. Of this fund, $100,000 is invested in the stock of the State Bank of Missouri, and $23,000 in the stock of the Branch Bank of Chillicothe. The sixth section of the ninth article of the Constitution requires that this stock should be sold and invested in United States, or other securities.

The University, notwithstanding the small amount derived for its support from the dividend of three per cent. per annum declared by the State Bank, is in a healthy and flourishing condition, maintaining a high rank among the institutions of learning in the west. I recommend that provision be made for enlarging, if necessary, the buildings and grounds, and for the further endowment of the University out of the proceeds of the sales of the lands granted to the State by the act of Congress of July 2d, 1862, or otherwise, so as to support the additional professorships contemplated by the fourth section of the ninth article of the Constitution.

The State holds in trust for the Common School Fund $678,967.96, which is invested in stock of the State Bank

of Missouri. The Constitution requires that this stock shall be sold, and that you shall prescribe by law the time and manner of sale. I recommend that the proceeds of such sale be invested in United States bonds.

The Missouri Military Institute, provided for by the act of May 13th, 1861, has not been organized. I have not been able to find the deed contemplated by the eleventh section of that act, the delivery of which to the Governor is a condition precedent to the taking effect of the law. The buildings, which were erected by the Masonic order at a large cost, have been almost entirely destroyed by the acts of the public enemy.

In this connection I renew the suggestion made in my inaugural message, that more attention be given in our educational system to those branches of instruction which qualify for military service.

There have been selected and claimed by the State, under the act of Congress of September 28th, 1850, about 5,000,000 acres of land. Up to this date there have been patented 2,642,972 acres, and 1,250,000 acres have been rejected by the Department of the Interior. The claim of the State under the acts of Congress of March 2nd, 1855, March 3rd, 1857, and March 12th, 1860, will amount to about $250,000 in money and 100,000 acres of land. To secure these claims I recommend that authority be given the Executive to appoint notaries public for the State at large, for the purpose of taking the necessary proofs, under the instructions of the agent appointed under the act of the General Assembly approved January 25th, 1865. I herewith transmit the report of the agent appointed under that act.

The great need of our State is more people. The Board of Immigration, created by an act passed at your last session, has been engaged for six months in disseminating in this country and in Europe, by the circulation of publications and the employment of agents, information concerning the peculiarities and capabilities of our soil, the varieties and localities of our minerals, the extent and

qualities of our timber, the number and availability of our water courses, the nature and adaptability of our climate, the facilities for railway and other communication and transportation, the opportunities for education, the evidences of complete tranquility, and other subjects of interest to those contemplating removal from an old to a new country. The results of the labors of the Board are highly gratifying. The attention of the emigrant from the old world has been so constantly and urgently directed hither, that thousands are embarking thence directly for Missouri, while the immigration here from the northern and eastern States, and in fact from all the free States, is greater than our most sanguine hopes had promised.

The class of people finding homes among us comprises men of intelligence, native energy, and industrious habits, such as are calculated to augment our wealth, and support and strengthen all the best interests of a State.

The adoption by the people, during your recess, of a revised and amended Constitution, devolves upon you at this session the duty of conforming the statutes to its provisions, and of making such enactments as will give force and effect to the general principles contained in the new features of the fundamental law.

I call your attention especially to the provision of the fourth section of the second article of the Constitution, requiring the enactment of a law for a complete and uniform registration of voters. Too much care cannot be exercised in guarding the elective franchise. On the purity of the ballot box depends the security of the dearest rights of the citizen.

It will be your duty to pass a law for carrying into effect the provision of the twenty-fourth section of the seventh article. A practical method of enforcing this provision would be to require clerks of the courts to report quarterly to the County Court all fees received by them, and attach a penalty to a failure to pay annually into the county treasury the surplus of fees received by them beyond

twenty-five hundred dollars, after making the deductions allowed by law.

The third section of the eighth article requires the enactment of a law to provide for the sale of the stock owned by the State in the Bank of the State of Missouri, of which there is, in addition to the Seminary Fund and State School Fund, the sum of $15,558.54 of the Sinking Fund and $508,-773.50 of State stock. The time and manner of sale should be placed within the discretion of one or more proper persons, who should have ample time for understanding the real condition of the bank and the true interests of the State in that connection.

In view of the restrictions in the fourth section of the eighth article, I recommend a revision of our general corporation law, so as to afford, for the association of capital for the usual objects of incorporated companies, every inducement and privilege consistent with the constitutional provisions on this subject.

The twelfth section of the eleventh article enables you to enact a statute which will largely contribute to bring to punishment criminals, who, for any cause, are likely to escape justice in the counties where offenses are committed.

There are other provisions of the Constitution, making necessary certain enactments, to which I have called your attention under their appropriate heads.

It is the right of the General Assembly to propose such amendments to the Constitution as a majority of the members elected to each house shall deem expedient. The most recently expressed wish of the people on the subject of this Constitution is their adoption of it as their law; notwithstanding which, and although you were not elected on any issues made in favor of amending the Constitution, I recommend that you submit to the people such amendments as will exempt from the requirements of the second article all officers, trustees, directors or other managers of corporations for benevolent purposes, in which neither the United States, this State, nor any county, city or town is interested as a stockholder, creditor or contributor, as well as all pro-

fessors and teachers in schools not endowed, supported or in any manner contributed to by the United States, this State, or any county, city or town.

The twenty-third and twenty-fourth sections of that article ought to be stricken out, and in lieu thereof it should be provided that no person who has served a regular enlistment in the service of the United States in the suppression of the late rebellion, and has an honorable discharge, shall be required to take the oath of loyalty for any of the purposes mentioned in the article, except as provided in the thirteenth section. The men who have fought for the Union should be honored and trusted without an oath to confirm what they have done; and if any of them have wiped out with their blood an error of the first days of the rebellion, we should not ask them to make a record of those errors for the shame of their children. To have been a soldier of the Union should be made a source of just pride and honorable distinction among the citizens of the State, and should carry with it the right of suffrage, without other qualification, except that required by the nineteenth section, even to those not now invested with the right of suffrage.

Deferring to the deliberately expressed judgment of the people in the adoption of the Constitution, and relying upon their wisdom and justice to remedy what may need correcting in it, I shall at this time suggest no other amendments, but, so far as my action is concerned, will patiently await the further expression of their wishes in the light of their experiences and amid the surroundings of peace and prosperity.

The provision requiring the oath of loyalty from ecclesiastical functionaries has been made the occasion for raising the question of the right of the people, in their sovereign capacity, to make such a law. The future good of the State requires that the question of the *right* of the people to make it be now definitely settled by the Supreme Court of the United States, so that the amendment, when hereafter made, shall be distinctly understood as a privilege

given, not as a right acknowledged as superior to the power of the sovereign people of the State.

Many of the brave men who, during the late rebellion, bore the brunt of the battle for the Union and shed luster on the name of Missouri, have been permanently disabled by wounds. It is the duty of the State to care for these men in their decrepitude, misfortune or old age. The rebellion has impoverished our State, and we cannot endow a home for these deserving heroes but it is our duty to ask Congress for a grant of land for this purpose, and to go to the extent of our means in contributing to make such an institution what it should be—a retreat where the war-scarred veteran may pass the remainder of his days, the recipient of a grateful and noble charity which carries with it no humiliation.

The present is an important epoch in the history of our State. Freedom has but recently changed the lethargy born of servile institutions into the energy and activity of industrial prosperity. Peace having spread its hallowed influences over the nation, stilling the tempest of bad passions which had been nourished amid scenes of carnage, the justice and certainties of the law are again the reliance of the people, and it rests with the General Assembly to make steadfast their confidence in the majesty and strength of civil authority. Let our laws be just and wise. Let them be the guarantees of such degree of liberty as will distinguish us among States. Let them be few and plain, and carry with them the power to secure their enforcement. Then, with that confidence in the assistance of God which a firm conviction of right always inspires, we shall enter the opening future in the van of human progress.

THOS. C. FLETCHER.

FIRST BIENNIAL MESSAGE

JANUARY 4, 1867

From the Journal of the Senate, pp. 13-28

Senators and Representatives:

Chosen by the voice of the people, uttered through the forms of law, to exercise the powers of the legislative department of the State government, you have assembled for the performance of the important duties devolved upon you under circumstances the most auspicious that have marked any period in the history of our State. While blessed with national peace, we enjoy in our own State a general quietude, evidencing on the part of the great majority of our citizens a respect for and obedience to the laws; and at the same time we are favored by Providence with prosperity in every branch of industry and all the varied interests and pursuits of our people. Representing the just, liberal, progressive and patriotic spirit of the sovereign electors of the State, as well as their power, you may, by a statesmanlike application of the true principles of government to the subjects of legislation, greatly augment the degree of protection in their rights enjoyed by your constituents, enhance their prosperity and happiness, and largely contribute to hasten the coming greatness of the State.

Proceeding to the discharge of the constitutional duty devolved on me, of giving you information relative to the state of the government, and recommending measures deemed by me necessary and expedient, I call your attention to the fact that Congress, at its last session, passed a resolution, proposing to the legislatures of the several States a fourteenth article to the Constitution of the United States, a copy of which resolution, duly certified by the Secretary of State of the United States, I herewith transmit.

The first section of the proposed amendment secures to every person, born or naturalized in the United States, the rights of a citizen thereof in any of the States. It prevents a State from depriving any citizen of the United States of any of the rights conferred on him by the laws of Congress, and secures to all persons equality of protection in life, liberty and property, under the laws of the State.

The second section prevents one class of citizens from representing in Congress another class who are deprived of the right to vote, though it be by no crime committed by them, and thus gives equal representation in Congress to every person of the class permitted to vote.

The third section disqualifies from holding any office, civil or military, under the laws of the United States, or of any State, every person who shall have engaged in rebellion against the United States, after having at any time been a member of Congress, or an officer of the United States, or a member of a State legislature, or an executive or judicial officer of any State; thus protecting the government from the danger of permitting men to exercise its authority who have committed or may hereafter commit perjury by going into rebellion, but giving to Congress the power to remove such disability by a two-thirds vote of each house, and thereby setting before this class of rebels the hope of hereafter obtaining forgiveness by such conduct as will entitle them thereto.

The fourth section provides against repudiation of our national debt, prevents the repeal of the laws giving pensions and bounties for services rendered in suppressing the rebellion, and guarantees exemption from taxation at any future time for the payment of the debt made by rebels in their efforts to destroy the Union.

The principles which this article will ingraft on the Constitution are essential to constitutional liberty, to the altered circumstances attendant upon universal enfranchisement, and to the future peace and security of the republic. The representatives in the national Congress of that portion of the people who, during the rebellion, preserved the exis-

tence of their State governments by adherence to the Constitution and Government of the United States, are entitled to your support and encouragement in so exercising their power as to secure the future peace of the country while restoring to the benefits of the national government the States which have destroyed their existence as States of the Union. I hope the General Assembly will freely and at once ratify, on the part of Missouri, the proposed article as a part of the Constitution of the United States.

Time and experiences have, no doubt, satisfied those who ever doubted, that our fundamental law should contain only general principles, applicable alike under all circumstances, and essential to secure common rights to the people.

I earnestly recommend the General Assembly to exercise at the present session, the right conferred by the second section of the twelfth article of the Constitution, by proposing to the people such amendments as will make the name of Missouri the synonym of all that is most free, just, liberal, generous and progressive, in a land rejoicing in the fruition of freedom, and glowing with the splendors of the progress of the nineteenth century.

Ours is a Democratic republic, in which the sovereign power resides with the people, who exercise that power through their representatives in the various departments of the Government, chosen by them to give utterance to their will. The perfection of a government by the people consists in the diffusion of the sovereignty until all shall be sovereigns, and all shall alike be subjects of laws necessary for the common good. There has ever lingered among people who have attempted a government of themselves, so much of the spirit of barbarism, tyranny, prejudice or injustice, as to partially destroy in practice the cardinal principle upon which such government must rest, in excluding a part of the people from the exercise of sovereignty, by which exclusion some are sovereigns, others merely subjects.

Let us recognize the title which God has given to sovereignty—His likeness in the intelligence of man—and

permit men to be deprived of it in no manner, save for crime. Justice punishes crime. Let us have the suffrage of Justice. Loyalty is made by our Constitution the test for franchise: then let the right to vote be given to all loyal men. To read and write is also made a necessary qualification for a voter after 1876: then let the ballot be given to all who are loyal and have the last named qualification at that time. Our Constitution, even as it is now framed, requires the recognition of patriotism and intelligence, and justice demands the repeal of that portion of it by which color is made the only ground for the refusal of such recognition.

I recommend the General Assembly to submit an amendment to the Constitution, striking out the ninth section of the second article. This section has not prevented disloyal persons from pursuing the avocations of lawyers and school teachers. Bishops, priests and ministers teach and preach without taking the required oath. Whenever a law is unnecessary for the protection of the rights of the people, or to secure their prosperity and welfare, they will not demand and enforce obedience to it. Such laws are productive of the most lamentable consequences. The example offered by their disregard, especially by so intelligent and influential a class of citizens, begets a general disposition to exercise individual discretion in obeying or enforcing laws—a disposition which leads to anarchy and impunity in crime.

The dangers to society from the too frequent use of oaths, and especially oaths for the taking of which great inducements are offered, and often demanded, by the very necessities of persons, cannot be overestimated; and where there is, by common usage, no penalty inflicted for the falsely taking of them, such oaths are destructive of good conscience, and are calculated to engender dangers to life and property greater than was threatened by rebellion. This is one of the many oaths required by our Constitution and laws that are unnecessary, and which only familiarize the mind with the taking of oaths, thereby lessening their

solemnity and impressiveness, and inducing perjury by creating a motive to swear falsely

The oath of loyalty required of voters is also of this class. The ballot is thereby offered as the price for perjury, and the most loyal, no matter how unlearned, are required to swear that they are well acquainted with the terms of the third section of the second article. That section defines what shall constitute a disqualification as a voter; and adequate punishment can be affixed to the offense of registering as a voter, or offering to register as such, or voting in violation of law. Aside from the utter failure of this oath as a means of protecting the ballot box from the votes of disloyal persons, the provisions of the Constitution of the United States, and the humane principle of law, that no one shall be compelled to testify against himself, seem to me inconsistent with the end sought to be accomplished by the voters' oath. There are certainly less objectionable and more effective modes for the enforcement of the disfranchising law. It may be done by punishment for illegal voting, as well as for false swearing, and thereby prevent the commission of the latter crime.

In connection with this subject, I desire to call your attention to the propriety of adopting some means whereby obedience to and support of the laws, and general evidences of attachment to the government and regard for the peace, good order and happiness of the community, may give good grounds for the hope of the reward of enfranchisement on the part of the disfranchised. Justice may condemn a whole class of persons, as a class, but does not require that each one shall remain permanently of that class. An encouraging recognition of those distinguished in the body to which they belong by their good conduct, is a powerful and always necessary auxiliary of the control of force. Instead of admitting all to the franchise in 1871, as seems to be contemplated by the power given by section twenty-five of the third article, only those should be enfranchised who have, by their conduct as citizens, entitled themselves to relief; while those who evince by their acts that they

continue to be rebels, should continue to be disfranchised. Modification in reference to this subject will, I hope, be made, which will conform our policy as a State, as nearly as practicable, to the national view which may be indicated by the legislation of Congress. But even if Congress should allow generosity to blind it to justice and future safety, by giving amnesty to traitors, without distinction as to their conduct, I hope Missouri will refuse to accede to general amnesty, but make forgiveness specially dependent on the future good conduct of each individual. I have confidence to believe that you will make all our laws such as an enlightened and liberal public opinion will heartily sustain and give strength to the courts to enforce.

However correct the principle stated in the sixteenth section of the eleventh article may be, it must be admitted that long established customs, having their origin in the best attributes of our natures, strongly appeal to you to propose to the people to modify that section so as to permit the Legislature to exempt from taxation such property as is actually essential and used exclusively for religious purposes. In doing this, especial care should be taken that it affect alike every branch, church and sect of religionists; and any existing law on this subject which may be even liable to misconstruction, in this respect, should be promptly amended.

I also recommend that you submit a proposition, to be voted on by the people, to strike out of the Constitution the twelfth section of the sixth article. The district court established by this section being an intermediate tribunal between the circuit and supreme courts, with exclusive appellate jurisdiction from the circuit court, is, in my opinion, without any compensating good effects for the additional delays it imposes in obtaining final judgment, and the expense and other hardships to litigants consequent upon it. To afford speedy justice, with the least possible expense, should be the objects kept constantly in view in framing all our laws for the organization of courts.

The system of public instruction contemplated by the wise and liberal provisions of our State Constitution is not yet fully perfected. The act for the organization, support and government of common schools, passed at the last session of the Legislature, accords with the true spirit of progress, and is one of the beneficent results of the new era of freedom upon which Missouri has entered. But our common schools must be linked to the higher departments of education. The normal professorship in the State University, required by the fourth section of the ninth article of the Constitution, will be one of the best means of effecting this object. Experience has so well demonstrated the necessity for schools for the thorough training of teachers, that sixteen of the States of the Union, where the subject of education has received most attention, have established normal schools for the education of their teachers. I hope the Legislature will at once comply with the requirements of the Constitution, by providing for the establishment and maintenance of a department in our State University for instruction in teaching. In my opinion the Public School Fund will permit this. I recommend that the income from an investment of the proceeds of the sale of the State Tobacco Warehouse, being $132,000, and which belongs by law to the school fund, be set apart for that purpose.

I call your attention especially to our State University. This institution is required by the Constitution to be maintained, and should be so cared for as to make it worthy of our State, and a source of usefulness and pride to our citizens. Let it rival the University of Michigan, with its sixteen hundred students.

The income of our University is only about eight thousand dollars per annum, derived from $100,000 formerly invested in stock of the Bank of the State of Missouri, recently sold for $108,500, which is now invested in Missouri bonds, and on which there was due and payable on the first of January, 1867, by the State, six months' interest, for the payment of which provision should be made;

besides $23,000 invested in the stock of the bank at Chillicothe. This is a sufficient basis on which to build up an institution of learning such as is contemplated by the Constitution and demanded by the educational interests of the State.

Besides the normal professorship, there should be added to our University, first, a *department of agriculture and mechanic arts*, including a school of engineering, a school of mining, and a school of analytic chemistry; second, a *law department*. For the first, Congress has, by the act of July 2, 1862, made provision in the grant of three hundred and thirty thousand acres of land, which has just been selected and will soon be patented to the State. For the second, a mere nominal endowment would be sufficient to inaugurate the first institution of the kind in the State, the circumstances requiring which would very soon make it self-sustaining, having the whole of our own State and all the country south and west of us for our field. Among the four hundred law students in the University of Michigan, and among the number composing the large class at Cambridge, are many of the young men of Missouri, who ought to be provided with this means of education at home.

Every interest of our State will be promoted by making our University an institution such as time may endow with the fame of a Harvard or a Yale; this cannot be done by the diffusion of our means among numerous independent institutions, with diverse managements.

In this connection, I will state that the Masonic order, through their proper officers, have conveyed to the State the property at Lexington, for the purpose of organizing a military institute, as provided by the act of May 13, 1861, and I have appointed visitors for the management of the same as required by said act.

I desire to reiterate the suggestion made in my former communication to the General Assembly, that our educational system should embrace those branches of instruction which qualify for military service. The practical means of doing this is certainly not to be found in attempt-

ing to build up a separate institution of learning, especially upon the ruins of the Masonic College building at Lexington, the repairs of which will cost almost as much as the erection of new buildings; and for neither repairing or rebuilding is there a fund provided. But the annual appropriation for this institution, made by the act referred to, would be ample to maintain a department in the State University for instruction in military science; particularly in case an instructor be detailed by the President from the United States army, whose services would be without cost to the University.

I take pleasure in presenting herewith the biennial report of the Missouri Institution for the Education of the Blind, prepared with care and written with perspicuity, in which is shown a most gratifying condition of the affairs of that institution. Accompanying the report are interesting specimens of printing in the Braille alphabet. Several rudimental school books have been printed by the students in this alphabet; and altogether, the progress made at this institution in the education of the unfortunate class who seek its benefits, gives it high rank among similar schools, and renders it a credit to the State.

Under the act of the Legislature, approved March 19, 1866, I appointed a commissioner to select the land inuring to this State under the act of Congress of July 2, 1862, entitled "an act donating public lands to the several States and territories which may provide colleges for the benefit of agriculture and mechanic arts." The selections have been completed after an examination of the unentered land in the State, and are believed to embrace the best quality of land subject to selection. Upon the completion of the Iron Mountain railroad and the extension of the Southwest Pacific railroad, the three hundred and thirty thousand acres of land thus acquired will make a magnificent fund for the endowment of the school contemplated by the act of Congress. The United States has been munificent in donations of lands to our State for educational and other purposes. I hope that this last gift may be made more

nearly to realize its true value than those heretofore disposed of by the prodigal acts of former legislatures. These lands will, by careful and patient management, enable the State to meet the requirements of a department of agriculture and natural science, in the great educational establishment contemplated by the fourth section of the ninth article of our Constitution, in a manner worthy of the great central State of the republic.

It is to be regretted that the bill providing a uniform militia law did not pass Congress at its last session. I recommend that you repeal the ordinance of the State Convention, entitled "an ordinance for the organization and government of the Missouri Militia," adopted April 8, 1865, and enact a law on the subject of the militia, which will be attended with less expense in time of peace, and be better adapted to a time of war. The annual enrollment required by the ordinance entails a large expense without any benefit whatever. Experience has proven that in time of peace a military organization cannot be kept up and made efficient for sudden emergencies, except as regards a limited number of the persons liable to military duty, and then only when an inducement is offered by the State for such service. This can be done by providing a system of volunteer organization and the acceptance of a limited number of companies, the members of which, in consideration of performing certain military drills, musters and encampments, and holding themselves in readiness to respond to any call of the Governor or chief conservator of the peace of any city or county, should be exempt from jury duty and poll tax. Similar laws have been found, by experience in other States, to secure a sufficient military organization, attended with but very little expense to the State.

In compliance with the requirement of the Constitution, I herewith communicate a statement of each case of reprieve, commutation or pardon granted by me since the fourth day of July, 1865, with the reasons for my action.

The number of convicts confined in the Penitentiary is about six hundred. The necessity for an additional cell

building was so imperative that it has been deemed proper to commence the work, and employ the surplus labor at the disposal of the Warden for that purpose, without awaiting your action on the subject. The foundation of this building is finished, the superstructure steadily progressing, and a very considerable part of the materials for the latter furnished and in course of preparation. Some appropriation will be necessary for the completion of the structure.

The reports of the Warden and Factor show a very satisfactory condition of affairs in the Penitentiary, as regards both its financial and its disciplinary departments. Contracts have been entered into for the labor of the convicts at greatly advanced rates over those of the existing contract, which expires on the fifteenth inst. The disposition thus made of the convict labor will, it is confidently believed, hereafter make the Penitentiary entirely self-sustaining. The result reflects the highest credit on the officers and managers of this institution. The discipline, based as it is, on the principles of kindness and humanity, and enforced with the object of reformation of the convict, combined with the hope of pardon constantly held out as the reward of good conduct, has been chiefly instrumental in enabling the officers to educate the prisoners in the various mechanical branches in which they are now profitably employed.

Congress, by an act approved July 2, 1864, set apart the old Hall of the House of Representatives in the National Capitol, for a hall of statuary, and Missouri is invited, with each of the other States, to furnish statues in marble or bronze, not exceeding two in number, of deceased persons who have been citizens of the State, and illustrious for their historic renown, or from distinguished civic or military services, such as the State shall determine to be worthy of this national commemoration. By direction of the late lamented President, Abraham Lincoln, the State department called my attention to this act, with the request that I would present it for the consideration of the Legislature. In doing so, I cannot refrain from the expression of the

natural impulse of a Missourian, when the States are about to embody in bronze and marble the gratitude, respect and honor they entertain for their illustrious dead, that the form of our own Benton should be given that proud rank among the monuments of the great which it occupied among them living. This we ought to do as early as is consistent with our obligations of another but not less binding character. A committee should be appointed to correspond with the most eminent artists, to ascertain the cost, and report to a subsequent meeting of the Legislature all the necessary facts, so that we will be prepared as soon as we shall have redeemed the faith of the State with her creditors—or when our credit as a State stands so high before the world, that Benton, if living, would be as proud of Missouri as in the days when she met her every obligation, without days of grace, in golden coin—to make a statue worthy of the man and the commonwealth.

The State Treasurer gives as the total receipts into the Treasury during the fiscal year ending September 30, $4,108,407.92, and states his disbursements during the same time at $954,492.78. He also reports the balance in the Treasury to the credit of the State Interest Fund, on the first of October last, at $450,046.03, and the balance at same date, to the credit of the Sinking Fund, $9,694.06. There has also been paid into the Treasury, in bonds of the State and coupons, up to and including first inst:

From sale of bank stock	$1,178,635.50
On account of sale of Southwest Pacific railroad	324,850.00
On account of Platte Country railroad	153,020.00
On account of sale of Iron Mountain and Cairo and Fulton railroads	225,000.00
Total	$1,881,505.50

The State Auditor reports the issue of $1,400,000 in military bonds, under the act of December 20, 1865, for the payment of the Enrolled Missouri Militia and the Missouri Militia, for services rendered, and for the payment of the Quartermaster's Department of certain claims incurred

against the State, of which amount the Acting Paymaster-General has yet on hand $156,000.00, and the Acting Quartermaster General $123,000.00.

However gratifying may be the rapid recuperation of the State from losses by the rebellion, and greatly as we may rejoice in the marvelous prosperity which attends upon our new condition of freedom, we have yet to recover the greatest loss entailed on us by civil war, that of our financial credit as a State. You have now an opportunity of giving our people cause for rejoicing, exceeding that afforded by any event since the return of peace, by restoring that credit, and this, too, under circumstances which enable you, at the same time, to reduce the heavy burden of taxes to about one-half of the levy for the last year, and yet have perfect asssurance of being able to meet the accruing interest on our State debt.

I need not repeat to you the earnest statements of my inaugural message in reference to our duty in this connection, nor the hopes expressed and suggestions made in subsequent communications to the General Assembly; nor is it necessary for me to recapitulate the efforts of the last Legislature to devise a plan for extricating the State from the deplorable inability in which the uncertainties of the future then involved us. The circumstances surrounding us at that time warranted no greater undertaking and no better offer to our creditors. A twelve-month has brought hundreds of thousands of people, with their wealth of property and labor, to strengthen our financial ability. No parallel exists to the rapidity with which wealth has accumulated in every avenue of industry, and with which population has increased in every part of our State, within the past year. Substantial proofs of amazing prosperity on every hand attest the sudden and unprecedented growth of the State. Our taxable wealth has grown from $198,602,216 in 1863, and from $262,354,932 in 1865, to a sum which by the means of the law establishing a State board for the equalization of taxes, passed at the last session, will reach $400,000,000.

The representatives in a loyal Congress had beheld us emerging from a long, desolating, terrible war, bearing the banner of freedom, tattered and soiled, but wreathed with victory. They had witnessed our patriotism, in yielding up even our financial credit as a State in order to pay soldiers to fight for the Union. Relying on their sense of justice, I caused the evidences of all our disbursements made in that behalf to be carefully prepared, for the purpose of aiding the able and persistent efforts of our representatives in both branches of Congress. I employed a gentleman of ability in general business, and possessed of personal knowledge of the whole subject, to present and explain these proofs to the proper committees. The labors of our Senators and members, aided by the invaluable services of General John B. Gray, were successful in securing the passage of the act of Congress, approved April 17, 1866, entitled "an act to reimburse the State of Missouri for moneys expended for the United States in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion." Under the provisions of this act, commissioners were appointed to adjust the account and claim of the State under said act, and they met in St. Louis for that purpose. General Gray presented our claim, having, with the assistance of the Adjutant General's and Paymaster General's Departments, arranged, abstracted, and put in proper shape, the vast accumulation of vouchers and other papers necessary to enable the commissioners to act. After about six months of unremitting labor on the part of General Gray (a report of whose action as our agent is herewith transmitted), and by faithful and diligent work on the part of the commissioners, they have found that there is due the State about six millions two hundred thousand dollars. It is believed that their finding will undergo the scrutiny of the Treasury Deparment without any material alteration. General Gray will continue to follow up the claim and press its early payment. When that consummation is reached, the Legislature can at once relieve the people from the further payment of any military tax, the heavy

burden of which they have borne without complaint. If our claim against the United States is promptly paid, we can provide for the redemption of all outstanding Military Bonds, and appropriate thereof at least three millions five hundred thousand dollars to the Interest and Sinking Fund for the State debt incurred on account of railroads. The military tax of 1866, now being received at the Treasury, with the arrearages and delinquencies of taxes, which latter promise, through the assiduity of the State Auditor, to realize a very considerable sum, will, it is estimated by that officer, absorb very nearly all the outstanding Union Military Bonds and Defense Warrants. If these estimates are realized, it will very materially increase the amount that may be set apart to the Sinking and Interest Funds.

With such a sum to begin with, and the addition thereto of the special annual tax of one-quarter of one per cent. on all subjects of taxation (voted upon themselves by the people, at the election held on the 6th of June, 1865), and in view of the bright prospects of future prosperity which surround us, you can, with perfect assurance of ability to perform our undertakings, fund the accrued interest on our bonds up to the present date, by the issue of new six per cent. twenty-year bonds, to include the overdue interest, and to be exchanged for the old bonds and coupons on the first day of July next, at which time the half year's interest on the new bond could be paid. It is believed that the total bonded debt of the State incurred for railroads, on which default has been made, can, with the interest thus funded, be reduced to twenty-five millions. The annual interest on this sum would be fifteen hundred thousand dollars. Certainly, with one year's interest in the Treasury to begin with, and a reserve fund equal to another year's interest invested in government bonds, to be held to meet deficiencies in the annual tax provided by the State Constitution, our credit would be placed on a sure and firm basis, and could be thus permanently maintained, while we could appropriate the ten per cent. for the present and following year, and fifteen per cent. thereafter of the gross

receipts of Pacific and North Missouri railroads, to the Sinking Fund. Nothing short of such a credit as is enjoyed by the most favored of our sister States should be satisfactory to us, and with prudent management it can be reached without oppressive taxation. In view of the great increase of the business of the Pacific railroad, the gross earnings of which are now about three hundred thousand dollars per month, and will be largely augmented by the addition of rolling stock, we may confidently expect that company to be able to provide for its short mortgage bonds (the last of which are due in April, 1870), and thereafter promptly to meet accruing interest on the seven millions of dollars loaned that company by the State, and the accumulated interest thereon, which is part of the coupons proposed to be funded. At the same time the flattering prospects of the North Missouri railroad, justify the belief that it will soon be able to promptly meet accruing interest on the four millions three hundred and fifty thousand dollars loaned to that company, and the funded interest on the same. The realization of these expectations, which are, I believe, confidently and justly entertained by the managers of these roads, will virtually reduce the State debt to about ten millions, which amount the special tax imposed by the Constitution of the State would, with judicious management, pay off in full in fifteen years.

Assured of your full and hearty co-operation in the measures herein proposed, it is ample compensation to me for whatever of labor or thought I have put forth or exercised, or for whatever of despondency I have experienced in the dark and trying hours of the struggle to redeem our financial honor, to be enabled to give to you and to send our creditors abroad a New Year's greeting in the announcement, which I make with serious confidence, that Free Missouri will, within the year, redeem the plighted faith of Slave Missouri.

Under the act of the Legislature entitled "an act to provide for the sale of the State Tobacco Warehouse,"

approved December 15, 1865, I appointed a commissioner, who, in the manner directed by the law, sold the property known as the State Tobacco Warehouse for one hundred and thirty-two thousand dollars, and I approved the sale. One-third of the purchase money (being $44,000), has been paid into the Treasury, and the balance is secured as the law requires, bearing interest at six per cent. per annum. The proceeds of this sale belong to the School Fund, and the installments should be invested in United States securities as soon as received into the Treasury.

There is in the Treasury the sum of five thousand two hundred and twenty-three dollars and sixty-seven cents, received from the United States under the act of Congress admitting Missouri into the Union. The distribution of this amount among the counties for purposes of roads and canals, would make so small a sum to each county as to be of no practical use. It will be entirely within the scope of the objects contemplated by the third subdivision of the sixth section of the act of Congress, to apply this sum to the Interest Fund, and I recommend that it be so disposed of.

In pursuance of a requirement of the Constitution, the Legislature at its last session passed an act for the sale of the stock held by the State in the Bank of the State of Missouri. In obedience to the duty devolved on me by that act, I appointed an agent to make the sale, who did so in the manner directed by the law, and reported the same to me. There were held by the State 10,863 shares of $100 each, divided as follows:

Seminary Fund	$100,000.00
State School Fund	661,967.96
Sinking Fund	15,558.54
State, in own right	308,773.50
Total	$1,086,300.00

The amount derived from the sale and paid into the State Treasury is as follows:

For Seminary Fund	$108,500.00
State School Fund	718,235.26
Sinking Fund	16,880.99
State, in own right	335,019.25
Total	$1,178,635.50

Or one hundred and eight dollars and fifty cents per share. The usual cash selling rates of the stock of this bank, at the time of the sale, was sixty-five to sixty-six dollars per share. I thought the sale a good one, and approved it. After it had been effected, but before the payment was made and the transfer completed, the bank declared a dividend. I claimed the dividend for the State, and caused proceedings to be instituted to recover it, but a decision has not yet been had.

Strengthened in the opinion, so often expressed, that we have no interest comparable with that of the completion of our system of trunk roads, and confirmed by observation in the belief that the development of the country, and the influx of population consequent on the facility of railroad communication, will amply repay the vast expenditures the State has incurred on their account, I have not hesitated to approve the action of the commissioners appointed under the act of the last session of the Legislature for the sale of certain railroads. By such action the Southwest Pacific railroad was sold for $1,300,000, of which amount the purchaser has paid into the Treasury, according to the terms of the sale and the requirements of the law, the sum of $325,000. Since the sale of this road by the commissioners, it has become a part of the Atlantic and Pacific railroad. There is no reason to doubt that it will be completed to Springfield within a period of time less than that required by the terms of the contract. It is largely to the interest of the owners to do so as early as possible, and it is fair to presume that they will do what their interests require.

While the primary object of the law for the sale of these roads was to get them completed, and while to that end I presume the commissioners first looked, yet they obtained for this road a price much greater than any person well

informed of its earnings and of the immense expenditure necessary to extend it to the paying region of the southwest, had any reason to expect. This I esteem the most important road in Missouri. It develops one of the best portions of the State, rich in agricultural land, in minerals, and in water power; a large district of country which only wants means of communication with our great market places to make it one of the most populous portions of the State. This road will certainly, by extension and connections, within a few years, carry the largest portion of the commerce west of the Mississippi.

The Platte Country railroad was duly advertised by me for sale, under the act of February 19, 1866. Before the day of sale arrived, the Weston and Atchison and Atchison and St. Joseph railroad companies, which by the act of February 18, 1865, held the relation and rights of mortgagors to said road, paid into the State treasury the sum of one hundred thousand dollars, due by the first section of said act, on the first day of January, 1866, together with the interest due on the debt of said road to the State. Being advised that the debt mentioned in the seventh section of said mortgage act was not so secured as to empower me to sell, I gave up the possession of the road to the mortgagors, and they having entered upon the work of extending the road, rendering thereby the security for the debt of the State more ample, and giving renewed assurance of the accomplishment of the primary object which the State has in view in reference to its extension north to the Iowa line, and south to Kansas City, I did not institute legal proceedings to foreclose the mortgage and subject the road to sale for the payment of the debt, but deferred the same for such further action as the General Assemby may direct.

The Iron Mountain and Cairo and Fulton railroads were sold by me under the act of February, 1866, and bought in by the commissioners appointed under that act, to whom the roads were turned over as required by the act. The commissioners have sold these roads in the manner required by law, for the aggregate of nine hundred thousand

dollars, and their action in that behalf I have approved, having first taken a bond from the purchasers, in the sum of five hundred thousand dollars, with good and sufficient securities, conditioned for the commencement of work in extending the Iron Mountain railroad, in good faith, within thirty days after the delivery of the deed; and for the faithful expenditure of half a million dollars, within twelve months, in the extension of said road. The purchasers have paid into the treasury the sum of two hundred and twenty-five thousand dollars, the first payment required by the law and the terms of the contract.

It is assuredly a cause of congratulation to the people of the whole State, that our metropolis is now to have, without any contingency, connection by rail with the southern system of railroads, and with river navigation below obstruction by freezing. It will be most gratifying to the people of the most beautiful section of the southeast, comprising our cotton-growing counties, and our mineral hills and pine forests, to know that the commissioners have borne in mind the principal object of the sale of these roads, and have made their early completion the end to which they have shaped their action. The payment into the treasury of $225,000, and the expenditure of half a million dollars in the extension of the road the first year, will make an investment by the purchasers of seven hundred and twenty-five thousand dollars, an amount which precludes the possibility of any speculation or profit to them, except in the completion of the road, when, indeed, they will have the most valuable line of railroad in the Mississippi Valley.

It is my opinion that these roads should have brought a larger sum; but the paramount want of the southeast, of St. Louis, and of the State, was the completed railroad, and not the contingency of a few thousand dollars more from its sale, which, if obtained, would be no adequate compensation for delay, or even risk of delay, in this long-deferred enterprise.

The owners of this road are now citizens of and property holders in St. Louis. They have obtained possession

of it at a price which they can afford to pay. The State has constructed railroads which have built up the commerce of St. Louis, until that commerce should be sufficiently strong to build up railroads. So short a line as this, and one which will redound so materially to the benefit of every interest of that city, will surely find St. Louis capital, enterprise and energy to complete it at once.

The North Missouri railroad, now completed to Macon, a distance of one hundred and seventy miles from St. Louis, has under contract the work of the extension of that road to the Iowa line, to be completed by the first of September next. This company has also contracted for the building of forty miles of the west branch of its road from Moberly to Brunswick, which portion is now in course of active construction, and will be finished by the first of April next. I am informed that a contract has also been let for extending the west branch from Brunswick to Kansas City, by the terms of which the road is to be completed to the latter named place by the first of January, 1868. With this branch road completed, and the main line extended to Iowa, this company will have nearly four hundred miles of road. The bridge across the Missouri river at St. Charles is also in process of construction by the company, and, by the contract, is to be completed by July 4, 1868. It is very gratifying to note the zeal which the company displays in the management of this important part of our system of internal improvements, whereby St. Louis is soon to have a connection with the roads of Iowa, and thence very soon with St. Paul; another connection with the Union Pacific road, by a bridge now in process of construction across the Missouri river, at Kansas City; and still another with the Platte Country road, by which Omaha will be reached by the 1st of January, 1868.

The Hannibal and St. Joseph railroad and the Pacific railroad, the only completed roads in the State, so well illustrate, in their effects upon the country through which they are constructed, the necessity for railroads to populate and develop our State, and so satisfactorily prove that

finished roads do pay, that we should be nerved to new exertions, and to the endurance of great sacrifices for the completion of all our other roads. The wisdom, enterprise and energy of this generation, written in iron upon the surface of Missouri, will be read for all time to come.

The Kansas City, Fort Scott and Galveston railroad is now under contract for construction from Kansas City to Fort Scott, a distance of one hundred miles, with the means provided for the grading of that distance. This road has a liberal grant of land, and traverses the western border counties of our State, through a fertile region, which, to become populous and prosperous, needs only a means of communication with markets. The natural wealth of the country that would be tributary to this road, will, when once fully appreciated, insure its completion.

The Kansas City and Cameron railroad, which will afford a connection of the Hannibal and St. Joseph railroad with the Union Pacific railway and the Missouri Pacific railroad at Kansas City, is graded the whole length from Kansas City to Cameron. The construction of an iron bridge across the Missouri river at Kansas City is a part of this enterprise, of the success of which in its entirety there seems to be but little doubt.

The Osage Valley and Southern Kansas railroad also, projected from Boonville via Tipton to the valley of the Osage, and thence up that valley to a point in Southern Kansas, traversing a rich portion of the State and bringing its productions to the markets afforded by the Pacific railroad and the Missouri river. This road is graded from Boonville westward, beyond the Pacific railroad.

To the three latter named roads, to which the State had made no loan of credit, I refer, in this connection, as evidences of material advancement, which call forth my congratulations to the representatives of the people.

The most encouraging results have attended our efforts to promote immigration. In these results there may well be much of gratification to every citizen of the State; and I trust the pleasure it imparts may, to others as well as to

myself, be derived from the realization of hopes and the reward of exertions which have extended through years. I urgently recommend that the means be placed at the disposal of the State Board of Immigration to enable it to continue the work of advertising and illustrating our material and industrial resources, and the inducements we are enabled to offer to the immigrant from the Old World, or from the overcrowded shores of the New. Let the facts, that our unfinished railroads are being pushed forward to completion; that our admirable system of common schools is going into effect; that our higher educational establishments are to be equal to those of older States; that our credit as a State will soon be restored; that our laws, just and liberalized, are to be enforced in every neighborhood—let these facts and other cognate ones be attested to the world, accompanied by statistics of our material wealth and natural advantages, and our sparsely settled counties will double their population in a half year, while the towns along our rivers and railroads, which in their growth have filled us with wonder, will spring into cities. The means of the board have been so used that, with the uncompensated labor of its officers, a general interest in enfranchised Missouri has been awakened in Europe, as well as in our own country. At my request Professor S. Waterhouse prepared a series of articles descriptive of the resources of the State, which have been published in the leading journals of this country. These papers should be published and circulated in pamphlet form, and I recommend that the General Assembly make an appropriation for that purpose.

For the details of the operations of the board, I refer you to the report prepared by the Secretary, herewith presented.

The return to peaceful pursuits of the communities in which almost every man had been actively engaged, on one side or the other, in the late war, has been general throughout the State, and it has been not less unexpected than gratifying to witness the unanimity with which the people of almost the entire State have given their support

to the civil authorities. During the rebellion there was furnished opportunity for the worst class of beings that disgraced the human form to band themselves together solely for purposes of plunder, and these wretches being hunted by the Union forces, who represented the power of government and law, they claimed to be the soldiers of the rebel cause, and were treated accordingly when they surrendered themselves as such. Some of these brigands never surrendered, but in a few localities of the State have continued to keep up their peculiar organization, and singly or in small squads to roam about the country to the terror of all peaceable people, occasionally committing murders and robberies. Some of this dangerous class infested Lafayette and Jackson counties, among them men against whom there were indictments and writs for crimes, committed subsequent to the surrender of the last man in the State who claimed to have been a rebel soldier. They visited the county towns, rode through the streets, swaggered in the hotels and bar-rooms, and even in the court-houses, with three to six revolvers belted on them, taunted the officers of the law, fired their pistols into houses, robbed men on the highway, and, in short, terrorized the people to an extent wholly unendurable. The citizens who had no sympathy with their lawless conduct were unable, for the want of unity of action among themselves, and also for the want of assurance of having justice administered to them by a timid, time-serving court, to rid themselves of these desperate characters. Each man naturally shrank from any prominent identification of himself with the arrest of any member of these gangs, whose organization and general impunity from the penalty of crime placed any single isolated citizen at their mercy. The officers did not arrest these men. The people did not protect themselves against them, though their very presence was a menace to life and property. Deeming it immaterial whether it was because the officers or the people could not or would not arrest them, that they were thus permitted to remain in an attitude of defiance of the laws of the State, I called into

service thirty-four companies of militia, with the intention of compelling their submission to civil process. Before, however, any of the companies called for had been sent to Jackson county, the people of that county united for the purpose of aiding and protecting each other and the civil officers in arresting and bringing to justice all violators of law in their county, and I have confidence that they will carry out that purpose.

I regret to say that the same result was not reached in Lafayette county. Three companies and a platoon of men were sent to that county, under command of Colonel Bacon Montgomery. In an effort made by this force to arrest one of the men, for whom a reward was offered as a fugitive from justice—one of the most notoriously desperate characters, whose crimes have shocked the whole country—he resisted arrest by firing on the militia, and was killed.

Some of the civil officers, and a number of gentlemen claiming to represent the wishes of the people of Lafayette county, have assured me that the citizens will aid the proper officers in arresting and holding for trial the men against whom proper writs are issued. In order to give them full opportunity to do this, and thereby relieve their county from the expense of the militia force—an expense which, by the act of the General Assembly, entitled "an act to provide for the enforcement of civil law and the payment of the expenses thereof," approved March 14, 1866, is chargeable to the county—I have withdrawn all the militia, with the exception of thirty men and an officer, who are ordered to remain in quarters, unless called on by the sheriff to aid in the execution of process. Two companies are at Warrensburg to await the result of the efforts of the citizens of Lafayette county, and the other company is ordered to be mustered out.

In case of a failure, from any cause, on the part of the citizens of Lafayette county, to arrest the men for whom writs are issued, and those who are notoriously guilty of high crimes, I shall order back to that county such force as I may deem sufficient for the arrest of these parties,

either with or without the assistance or concurrence of the citizens of the county.

The benefits to result from exhibiting at the Universal Exposition at Paris something of what Missouri possesses and is capable of, will be readily understood. It will not only encourage immigration, but will also invite capital, and increase the confidence felt abroad, in our ultimate financial ability. Your predecessors made no appropriation for this purpose. In order to enable you, in case you should consider the matter of sufficient importance, to have our resources and productions represented at Paris, I authorized Mr. James L. Butler to collect the necessary specimens to effect that object. He has made a good collection, and I recommend such appropriation as will, with the provisions made by the United States, be sufficient for their transportation and exhibition.

Confiding in the intelligence and patriotism which have been recognized in your selection by your fellow citizens as law-givers, I assure you of my earnest desire to co-operate with you in the measures you may inaugurate for the common good. Your action may mark the year with which you begin your labors, as the epoch in our history, when a genuine progress asserted the absolute rule, in government, of the principles of right over mutable expediency, whereby, we will deserve, and continue to enjoy, the favor of a just God, which is never withheld from a people whose course is shaped solely by the conceptions he gives them of right and duty.

THO. C. FLETCHER.

Jefferson City, January 4, 1867.

ADJOURNED SESSION MESSAGE

JANUARY 8, 1868

From the Journal of the Senate, pp. 6-23

Senators and Representatives:

With cordial greeting I welcome you on your return to the Capitol. During the year so recently closed, the labors of the farmer have been rewarded with a full harvest, and God has blessed us as a people with unbroken peace. As you resume your labors another year dawns upon us, radiant with promise of continued mercies. The third year of Free Missouri, now so nearly completed, has brought with it increased prosperity and assurance of still greater progress in the not distant future. It seems not inappropriate at this time to contemplate the results of the assertion and maintenance of the principles which have now controlled the government of this State for three years, and we may view them with a satisfaction that will not fail to inspire you with confidence and energy for the work before you.

When the party of freedom and progress came into power in Missouri, the fires of a civil war were yet spreading desolation throughout our borders; the churches were dilapidated and deserted; the schoolhouses destroyed, or silent and tenantless; only 1264 schools then existed in the State; the State University was converted into a barrack; the marts of trade were without signs of life; our great rivers bore no commerce; the railroads that were not abandoned or rendered useless carried only soldiers and their supplies; the murderous guerrilla roamed the fairest agricultural districts, and the farmer sought safety at the military posts; the graves of murdered loyal and true men were strewn along the highways; one-third of the counties of the State were without courts or officers; many court-houses and public records were burned; every avenue of trade or travel was

blocked; railroad bridges were in charred and blackened ruins, and the cars and steamboats were fired upon by concealed rebels; every branch of production was withered; every department of industry stagnated in a death-like torpor; a debt of thirty-seven millions of dollars hung over us, accumulating interest at the rate of a million eight hundred and sixty thousand dollars per annum; our population had been reduced to about eight hundred thousand, and the assessed value of property to less than $215,000,000, and our credit as a State was at the lowest ebb.

Loyal Missourians dealt the first blow that treason felt, and met the last desperate onset of the rebellion—the first to know war and the last to welcome peace. The magnitude of our losses, and the depth of the distress of our people, will never be fully measured by the historian. Such was the condition of the State when, in obedience to the will of the loyal people, expressed through their delegates in Convention assembled, I proclaimed a free Missouri.

Thirty-six months have not yet passed since that epoch from which our prosperity dates. An intelligent, energetic, liberty-loving immigration has come from the older free States and from foreign countries, and has materially aided to repeople the places made waste by war. We have invited and cordially welcomed free labor; the churches have been repaired and filled with worshipers; on the prairies, in the forests, and along the rivers spires have risen marking new temples and new altars erected and dedicated to our God. The increase of educational facilities is one of the surest proofs of our progress. Four thousand eight hundred and forty schools are now filled with over two hundred thousand children; the University, newly endowed, is being crowded with students, and is taking rank with the first colleges in the nation; the capital of the State School fund has been more than doubled; cities, towns, and counties have in many instances more than trebled their population; the exchanges resound with voices of active men; the steamboats and long trains of cars are bearing our productions to the markets; the prairies, forests, hills, and valleys are

being everywhere beautified with new-made homes. Capital by millions has come to us, and manufactories have arisen and are vocal with busy industry; the mines are reopened, and new and valuable discoveries of ore have been made. Two hundred and forty miles of railroad have been built without thereby increasing the State's indebtedness; two hundred and ninety-two miles are in process of construction, and eight hundred and twenty miles more are projected. The debt of the State has been reduced about eleven millions of dollars; our population has increased to at least one million five hundred thousand, and taxable property has been augmented in value by importations and by additions consequent on our general prosperity to $454,863,895; our credit as a State has not only been restored, but raised to a standard higher than it has ever reached since the inception of the internal improvement debt.

With these fruits of a loyal and progressive rule before us, we may well be strengthened in our attachment to the principles by which these wonders of transformation have been wrought, and made firm in our resolves to press forward to new victories, fraught with new and greater blessings until we have laid sure and steadfast the foundations upon which we may safely rest the future of our State.

NATIONAL AFFAIRS.

Are so full of interest that I might with propriety in this communication present the view of them which, in my judgment, should actuate the people of Missouri in their federal relations. But agreeing in my opinions with the views of the able, earnest, and faithful guardians of our interests in the National Congress, as expressed in their steadfast adherence to liberty, justice, equality, and the basis of loyalty in reconstruction, and reposing in confident security upon a faithful Congress to preserve to us all that we acquired by the war for the Union, I need not discuss questions of a national character, but will confine myself to subjects especially within the sphere of our State government.

FINANCES.

The operations of the treasury for the fiscal year commencing Oct. 1, 1866, show a balance in the

Treasury at that date of	$3,962,808 04
Receipts from all sources to September 30, 1867	7,048,006 76
Total	$11,010,814 80
Disbursements	10,333,432.74
Balance October 1, 1867	$677,382.06

Which is exclusive of the sum of $3,070,682.63 received by the State Interest Fund Commissioners. There appears a deficiency in the Revenue fund of $446,816.79.

Exclusive of the tax levied by the constitution, with that of one mill and a half levied by statute for the payment of principal and interest of the internal improvement debt, the total levy of taxes for State purposes is two and one-half mills. This is found to be at present barely sufficient for the ordinary expenses of carrying on the government of the State after deducting therefrom the amounts set apart to schools and University. The revenue tax is not a large one compared with the taxes levied by other States, even if it were not subject to the deductions of one-fourth of the whole for schools, and one and three-quarters per cent. of the remainder for the University; but when these deductions are taken into consideration, the tax is in fact smaller than it has been at any time in our history as a State. Still it may be made with prudent management to defray all the ordinary expenses, and leave a small surplus to be added to the Sinking fund to retire our outstanding indebtedness.

The yearly expenditures for the following named departments have averaged for the two fiscal years of 1866 and 1867, in the aggregate for the various branches of each department, as follows:

For executive	$48,944.02
For legislative	265,638.13
For judicial	251,711.40
For public charities	78,998.82
For assessing and collecting revenue and special appropriations	213,449.47

I recommend that all the expenditures of the State, as shown by the elaborate and carefully prepared report of the State Auditor, receive your close scrutiny, and that a thorough system of retrenchment be applied to them, so as to make the present small revenue tax sufficient for ordinary State purposes. The people are paying large amounts in taxes for local objects. County roads are being made, new courthouses, schoolhouses, and bridges are being built in many counties of the State, and while this is being done the State taxes should be as light as will suffice to defray immediate and necessary expenses and to meet the current interest on our debt. By reducing our expenses and carefully managing our available assets applicable to the reduction of our internal improvement debt, you may so reduce that debt that it will not only be carried by the constitutional tax, but that tax may also yield something to the Sinking fund, which, increased by the surplus of the Revenue fund that may be created by a judicious retrenchment of expenses, will assure the gradual but certain extinction of our whole indebtedness without imposing an additional burden of taxation.

In my communication at the beginning of your session I advised you of the manner in which we had obtained the allowance, by the Commissioners, of the claim of the State against the United States, under the act of Congress of the 17th of April, 1866, entitled "An act to reimburse the State of Missouri for moneys expended for the United States in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion," and stated the amount allowed at "about six million two hundred thousand dollars." The precise amount allowed by the Commissioners was $6,475,851.01. I informed you at that time that General Gray would continue to urge the claim and press its early

payment. This he has done with such ability and success that he has received, at various times, and deposited, by my direction, in the National Bank of Commerce, in New York, the sum of $6,362,279.35, and in addition thereto has received, in part payment of our claim, the sum of $78,044.60, in overdue bonds and coupons of the State, which were held by the Department of the Interior in trust for Indian tribes. The amount of the claim against the State for these bonds and coupons, as forwarded to the Treasury Department from the Department of the Interior, was $138,971.97; but upon the argument submitted by General Gray in our behalf the claim for interest was reduced by the sum of $60,927.26, and only the sum of $48,044.60 was deducted by the Treasury Department in full for the claim. I have received of these bonds and coupons the sum of $77,242.50, and delivered them to the State Auditor and caused them to be canceled. The balance, being $802.10 in coupons, has not yet been turned over to the Treasury Department by the Secretary of the Interior.

There now remains unpaid of our claim against the United States, under the act of Congress referred to, only about $58,000, to obtain which some additional evidence must be procured, and to the gathering and arranging of which General Gray is devoting his best energies. For the details of the operations of our agent in this behalf, I refer you to his report, which is herewith transmitted.

In connection with this claim against the United States, it is proper to say that the State has paid interest on her Union Military bonds and on money borrowed to purchase arms, amounting in the aggregate to about $400,000. This appears to me to be a legitimate claim against the United States, and I shall as early as practicable cause it to be presented in a proper manner.

The act of 12th of March, 1867, appropriates $1,500,000 for a school fund, and $500,000 for the Seminary fund and for the redemption of Union Military bonds. The Supreme Court having held that the funds so received were pledged first to the payment of Union Military bonds, and the

amount appropriated to that use by the act referred to having been found inadequate, I deposited for that purpose and for the special appropriations before mentioned, $3,291,596.72 of the amount collected from the United States to the credit of the State Treasurer, and the balance of the amount so collected, being $3,070,682.63, to the credit of the Commissioners of the State Interest fund, for the payment of overdue coupons, which amount the Commissioners have so applied. They also paid the July interest, and have promptly forwarded the money to meet the January interest.

I have caused to be prepared, and have executed and delivered to the Commissioners of the State Interest fund, three thousand bonds, under the third section of the act of March 12, 1867, for funding the overdue coupons still remaining unpaid, and will execute and deliver the balance as fast as they can be registered.

The total debt, the interest on which will hereafter have to be provided for by the State, is as follows:

The State debt proper	$535,000
Internal improvement debt	23,358,000
War debt	48,000
Total	$23,941,000

There is included in the internal improvement debt $1,600,000 of bonds guaranteed by the State for the Pacific railroad and applied to the Southwest Branch, which bear seven per cent. interest, and $354,000 of bonds, called "revenue bonds," issued by Governor Jackson on the first of June, 1861, under the fourteenth section of an act entitled "An act for the relief of the Bank of the State of Missouri and other banks," approved March 18, 1861, which bear nine per cent. interest. The principal of these bonds is past due, with interest unpaid, amounting in the aggregate to $79,470. Provision should be made for either funding or paying these last-mentioned bonds. I recommend an appropriation out of the Interest fund for their payment.

The amount hereafter to be provided semi-annually to meet the accruing interest on the indebtedness of the State, will be $700,740.00.

By the ordinance adopted by the State Convention on the 8th of April, 1865, entitled "An ordinance for the payment of State and railroad indebteness," which, being ratified by a vote of the people, became a part of the Constitution of the State, a tax of one-quarter of one per centum on the assessed value of all real estate and other taxable property is levied. This tax will yield to the Interest fund for the year 1867, about $1,131,509.00, and the amount will hereafter grow with our rapidly-augmenting taxable wealth.

The same ordinance levies an annual tax of ten per centum for the two years ending the 1st of October, 1867 and 1868, on all the gross receipts for the transportation of freight and passengers on all the railroads which are in default in the payment of the interest on the bonds loaned them by the State. This tax was due on the 1st of October last from the Pacific and North Missouri railroads. The amount due from the Pacific railroad is $253,644.54, and the amount from the North Missouri railroad is $68,257.41. Both of these roads have thus far neglected to pay the tax so levied, or any part of it. The fourth section of the ordinance referred to is mandatory as to the action of the Legislature in case of the continued neglect and refusal by these roads to pay said tax.

Under the act of the 26th of January, 1864, entitled "an act to provide means to pay the State bonds that matured in 1862, and falling due in 1863, issued for State purposes," I have exchanged new bonds for all the bonds which became payable in 1862, except one bond, and for all those which became due in 1863, with the exception of thirty-four bonds, the holders of which refused to exchange them for new ones. I have not issued and sold any bonds under the act referred to, and in order to avoid the necessity of doing so, and thereby creating another series or class of State bonds for so small a sum, I recommend that an ap-

propriation be made out of the Interest fund to pay off the thirty-five bonds mentioned. The amount required for this purpose is $44,450.00. These bonds are payable on their face, principal and interest, in gold or silver, and are indorsed by the Bank of the State of Missouri. I have proposed to pay them off in legal tender notes at par. Some of the holders have accepted the proposition and the others I presume will do so.

The "war debt" of $48,000.00, to which I have referred, consists of bonds issued by me under the act of 15th of February, 1864, in settlement with various banks for advances made to Governor Gamble for the purpose of purchasing arms. These bonds fall due July 1, 1868, and July 1, 1869. There is a surplus in the Union Military fund sufficient to pay them off, and I recommend that an appropriation be made out of that fund for that purpose. I also recommend that the balance remaining in the Union Military fund, after paying these bonds and the small appropriation necessary for pay of militia, be transferred to the State Interest fund.

EDUCATION.

Among the great results achieved by us as a people since our introduction to freedom, none is so significant as the advancement manifest in the cause of popular education. In the history of the western States, there has nowhere been exhibited more enthusiasm on this subject than is now evinced throughout Missouri. Energy and efficiency have marked the administration of this department of the State government during the year. The response to the demands for improved facilities for free and universal education has been generous and unexampled. Tasteful and commodious school buildings have sprung up as by magic; teachers have come from other States, attracted hither by the prospect of ultimate superior advantages; colleges have been reopened, academies and schools for special, normal, and mechanical instruction have been established, and teachers' institutes are organized every-

where and are well attended. The sentiment of free popular education is growing, and shall continue to grow in importance as its beneficent effects become more and more evident. A glance at the munificent provisions for the support of a system of public schools warrants us in saying that with prudent management means for the thorough education of the children who are to supply our places may be afforded equal at least to those provided in any State in the Union.

The capital and sources of State School fund are as follows:

invested in United States 5-20 registered bonds, being a permanent school fund, created by act of 11th of March, 1867	$1,500,000
United States 5-20 registered bonds, being part of proceeds of sale of Tobacco warehouse	86,000
Amount of note for deferred payment on sale of Tobacco warehouse, secured by deed of trust on the property and bearing six per cent, interest per annum.	44,000
State bonds, issued to Pacific railroad	20,000
From Internal Improvement fund	5,937
From sales of saline lands	5,223
Amount in treasury from forfeitures	881
Total	$1,685,071

The annual income from which is about $103,000.00. To this is to be added one-fourth of the whole revenue of the State government collected annually, and which, for the year 1868, will amount probably to $225,000.00. Superadded to these large and generous provisions by the State, the respective counties have received one section of each township of land, or one thirty-sixth part of all the land in the State, devoted sacredly to the benefit of public schools. For the same purpose the counties are endowed with all the land granted to the State by act of Congress of 28th September, 1850, designated as swamp land, and amounting in the aggregate to exceeding three millions of acres, a large portion of which is valuable. In addition to all this are the sums collected in each county from fines, penalties

and forfeitures—which fines, reported during the past year amount to $37,758.00.

Inasmuch as a great portion of the land given to the counties has been improvidently disposed of, I recommend that the minimum price for any sixteenth section (or lands selected in lieu thereof) be fixed at not less than two dollars and fifty cents per acre, and that the same minimum price be fixed for all the swamp land hereafter to be sold by the county courts.

The number of teachers of public schools in the State is 6,262—an increase of 3,558 over the number reported for 1866, and 5,362 more than in 1865; the number of school houses is reported at 4,000, while there were only 2,500 in 1866—exhibiting the remarkable increase of 1,500 school-buildings erected in one year.

Free government has for its foundation the virtue and intelligence of the people; the school-house is a strong pillar in its superstructure, and the teacher an architect of its most enduring parts.

LAND FOR AGRICULTURAL COLLEGE.

In my last message I informed you that the lands granted to the State by the act of Congress of 2d July, 1862, entitled "An act donating lands to several States and territories which may provide colleges for the benefit of agriculture and the mechanic arts," has been selected and properly reported to the General Land Office.

The fourth section of the act of Congress declares this grant to be for "the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe."

The fifth section requires that "any State which may take and claim the benefit of this act shall provide within five years, at least, not less than one college, as described

in the fourth section of this act, or the grant to such State shall cease."

The Legislature, on the 17th of March, 1863, accepted the grant, and assented to all the conditions of the act. It will thus be seen that only sixty-nine days remain to you of the time within which you may provide a college, as required by the law of Congress, to obtain the benefit of the grant.

It is clearly stated in the act of Congress that all of the proceeds of the land granted shall constitute a permanent fund, to be invested for the benefit of the college. No part of the proceeds arising from the sale of the land can be applied to buildings.

The land selected for our State cannot yet be made available, and a considerable time will necessarily elapse before it can be disposed of and the proceeds invested in bonds of the United States or of this State, and an income be derived from the interest on such bonds.

A compliance with the terms on which Congress has granted this land will also be a fulfillment of the requirements of the State constitution in reference to a college. By doing, within the time prescribed by the act of Congress, what the constitution requires to be done, you will save to the State the three hundred and thirty thousand acres of land heretofore selected. This can be done by providing at once for the establishment and maintenance of a department of agriculture and natural science in the State University. It will only be after several years of continued prosperity to the State that this land can be sold at a reasonable price, and at best the endowment from the proceeds of its sale will not be sufficient to support a separate college such as would be creditable, or generally useful to the State.

INTERNAL IMPROVEMENTS.

The standard of the civilization of any people is fixed by the facilities for education and for trade and travel with which they provide themselves.

With freedom and peace there has come to the people of Missouri a new spirit of energy and enterprise—a spirit characteristic of the older free States—which strengthens the bonds of sympathy that bind together in interest the great commercial, mining and manufacturing States which belt the continent from ocean to ocean.

One of the most forcible exemplifications of this truth is found in the rearing of a bridge across the Father of Waters at St. Louis—the first bold effort ever made to span our "inland sea" below the confluence of the great rivers. In columns of granite and arches of steel this stupendous structure will soon become one of the proud marks of our civilization. Standing midway of the continent, it will remove from the pathway of commerce the dividing line between the East and the West, and locate the point in the great central valley for the exchange of the productions of the North and South. It should be a source of pride to us that the success of this great undertaking will be an enduring monument to the genius of a Missourian.

The inspirations of progress are seen again in the work of binding our shores to those of our sister Illinois, by a bridge across the Mississippi river at Quincy, furnishing another means of the easy and frequent communication which assimilates the objects, feelings and interests of the people of different localities.

The spirit born of freedom is manifested by another great enterprise now far advanced toward completion. The swift currents of the turbid Missouri, within our State never before spanned, are soon to pass under the yoke of commerce at Kansas City, and while we may still boast of our great river, it will no longer divide our State into two separate parts. The bridge will be of iron, with a highway or wagon crossing, as well as a railroad track. It is being built by the same parties who have recently completed the Kansas City and Cameron railroad. Two other railroads in course of construction on the north side of the river are to cross this bridge. All these roads have the right to run their trains over it on such terms as may be agreed upon; and

in case of a failure of the parties to agree, the Governor of the State has power, by the charter, to settle the terms and conditions

Individual enterprise, induced by the present and prospective improvements of the State, is taking hold of and building other great works of internal improvement, unaided by the public credit. Among these is the railroad which has just been completed from Cameron to Kansas City, a distance of fifty-three miles. By this road the Hannibal and St. Joseph railroad is connected at Kansas City with the Union Pacific railway, eastern division, the Missouri Pacific railroad, the Kansas City, Fort Scott and Galveston railroad, the West Branch of the North Missouri railroad, and the Missouri Valley railroad.

The Boone County railroad has also been recently completed, and connects Columbia with the North Missouri railroad. It is twenty-two miles in length and was built by the liberality and public spirit of the people of Boone county. This road is of more than local importance, from the fact that the State University is thus made more accessible, and from the fact that it forms an important link in a line of road which shall connect the system of railroads north of the Missouri river with the Pacific railroad at the State capital.

The Kansas City, Fort Scott and Galveston railroad is graded for a distance of about twenty miles, and will no doubt be rapidly constructed during this year.

The St. Joseph and Council Bluffs railroad is also in process of rapid construction, and it is expected that its whole length, about eighty miles, will be completed within this year.

A railroad is projected from Chillicothe to Brunswick, another from Chillicothe to Omaha, and another from Chillicothe to connect at the Iowa State line with the road to Des Moines. Energetic efforts are being made to obtain the means for building these roads. A railroad is also projected from the city of Cape Girardeau to connect with the extension of the Iron Mountain road, and will no doubt

be constructed as soon as the extension of the Iron Mountain road is completed.

RAILROADS SOLD BY THE STATE.

At the beginning of the present session I stated in my message the proceedings under the act of the 19th of February, 1866, providing for the sale of certain railroads to which the State, at the date of that act, held the relation of mortgagee. The object of the Legislature in passing that act was the completion of three unfinished roads—the Southwest Pacific, the St. Louis and Iron Mountain, and the Platte Country railroads; the benefit to the State to be derived from their sale was the development of those parts of the State through which they would pass when completed, and the increased facilities for trade and travel which they would afford.

The provisions of that law were not such as I thought best calculated to attain its objects. The conditions upon which persons were required to undertake the completion of the roads seemed to me to involve so many and such great risks to timid capital that I had serious apprehensions that parties of reasonable ability would be unable to obtain the money needed. It is very evident that compensation for these unusual risks would have to be made in the price to be paid for the completed portions of the roads, and their whole value was not, in my judgment, sufficient inducement or security to obtain capital to complete them. These views, held by the Board of Commissioners for the sale of the Platte Country road, in common with myself, induced their president to seek parties who took the place of the mortgagers and redeemed the road from sale, by which the whole debt due the State by that road was secured. In the case of the other roads the sales of which were provided for by that act, the same opportunity did not exist.

The Southwest Pacific railroad was disposed of to General John C. Fremont, who offered for it, under all the circumstances, a very liberal price. He was then represented and believed to be wealthy and able to influence a large

amount of capital for such an enterprise. He united it with the Atlantic and Pacific railroad, a corporation which was organized under an act of Congress with power to build a railroad from Springfield, Missouri, to the Pacific ocean, with a grant of land for that purpose exceeding in quantity and value any grant ever made to a corporation in America. He paid $325,000 to the State, as required by the terms of the sale. The Atlantic and Pacific Railroad Company laid down the track and extended the road to Little Piney, a distance of about twelve miles from its former terminus; built one or two bridges, and partially constructed one across the Gasconade river, and did some grading west of that point. On the expiration of one year from the date of the sale I was satisfied that the sum of five hundred thousand dollars had not been expended in the work of "graduation, masonry, and superstructure of the extension of the road," as required by the contract The annual payment of the purchase money was not made; the contractors and laborers were not paid; but little work was being done; the means and credit of the company appeared to be exhausted; all its operatives and employes were unpaid, and no reasonable ground remained for hope of a compliance with the contract on its part; when, under the power given me by the law, I took possession of the road and appointed General Clinton B. Fisk agent "to operate it until the General Assembly shall otherwise dispose of the same, for the purpose of foreclosing the State's lien or mortgage."

He reports the aggregate receipts of the road from June 21, 1867, to January 1, 1868, at $118,970.83, and the expenditures during the same period at $112,006.38, leaving the sum of $6,964.45 in his hands. Of the expenditures above stated the sum of $93,471.09 includes ordinary running expenses, repairs, stock, and material purchased, and the sum of $18,535.29 paid the employes retained by him for wages due them at the date of taking possession of the road. For further details I respectfully refer to his report, which is herewith transmitted. The importance of the completion of this road, the difficulties attending efforts

for that purpose, and my desire to present my views at length in reference to it, lead me to make it the subject of a separate communication to which I shall soon invite your attention.

IRON MOUNTAIN RAILROAD.

The President of the Board of Commissioners appointed for the sale of this road, reports its receipts from the 27th day of September, 1866, to the 12th day of January, 1867—the time during which the road was in possession of and operated by the Commissioners—at $164,466.62, and the expenses during the same time at $126,530.08, leaving a balance of $37,936.54, which has been paid to the State Treasurer.

I am informed by the purchaser of this and the Cairo and Fulton road that he has put it under contract the entire length from a point a few miles north of Pilot Knob to Belmont, a distance of one hundred and seventeen miles.

As the same party is the owner of both these roads, there is not involved any conflict of corporate jurisdiction, which I apprehended might occur under the law, and which was avoided by uniting them in the sale.

Time adds constantly to our knowledge of the natural wealth of Southeast Missouri, and deepens the conviction in my mind that we have no more important interest as a State than the completion of this road. Looking to its extension as a means of developing the unequaled mineral wealth of that part of the State, and the consequent influx of capital for working its mines and establishing manufactories to convert its metals and use its timbers; feeling that nothing but the extension of this road would ever make the plateau of our rich cotton-growing counties appreciated; and knowing that every part of the State whose railroad system centers at St. Louis was interested in having a connection by railroad with the southern market, I have never ceased to believe that the true consideration for the sale of the road already built should be its extension through Southeast Missouri to the river, and to a connection with

the southern railroads. Although I did not regard the price to be paid for these roads as the principal object in their sale, I have since had additional reasons to believe that they were awarded by the Commissioners to the highest responsible bidders under the law.

The year has not yet fully elapsed during which the purchaser is bound by the contract, and in a bond with security, to expend half a million dollars in the work of gradation, masonry, and superstructure of the extension of the St. Louis and Iron Mountain road. On the 12th day of December last he filed in the office of the Secretary of State the affidavits of himself and the chief engineer and treasurer, stating that $460,000 had been expended in "the work of extending the St. Louis and Iron Mountain railroad up to the 10th day of December, 1867."

THE PACIFIC RAILROAD.

This road was incorporated by an act of the Legislature approved March the 12th, 1849. An act amendatory of the charter was passed March the 1st, 1851, which, among other things, required the treasurer of the company and acting superintendent to make an annual report on the 20th of December, verified by oath, stating the receipts and other principal facts in the operation of the road, and to file the same with the Secretary of State. This has not been done. The last annual report of the directors made to the stockholders shows the gross earnings for the year ending 1st of March last to have been $2,675,874.84, and the net earnings $719,230.00. The road was completed to the western line of the State on the 2d day of October, 1865, and by virtue of the act of 25th of December, 1852, to expedite the construction of this and the Hannibal and St. Joseph railroad, the roadbed, buildings, machinery, engines, cars, and other property became, on the 2d day of October last, taxable at the same rate as other real and personal property. The cost of construction of this road is $11,418,794.14, and the rolling stock has cost $2,049,674.-

33, making the total cost of road and rolling stock $13,468,468.47.

The total indebtedness of the Pacific railroad to the State, exclusive of taxes, is $10,569,493, for which the State has a first mortgage lien on the road east of Dresden, on all the rolling stock, and a second lien on the road west of Dresden. The prior lien on the road west of Dresden was created by an act approved February 10, 1864, and is for $1,500,000, one-third of which is due in 1868, one-third in 1869, and one-third in 1870, and for the payment of which the net earnings of the road are pledged.

The State is paying annually four hundred and twenty thousand dollars for interest on the principal of this debt, which has, by accumulation of interest, reached a sum exceeding the present value of the mortgaged property, and is increasing by accruing interest more rapidly than the value of the road.

While it is true that the payment by the road of the debt for the first lien west of Dresden as it becomes due would enhance the value of the State's lien to the extent of one million five hundred thousand dollars, it is also true that the State will have paid out in the meantime, for interest on the bonds originally loaned the road, and on the bonds issued for interest on the same, upward of $1,300,000, and the debt due the State would be increased by that amount.

This road having failed to pay or provide for the interest on the bonds loaned it, the law creating the mortgage gives you the right to foreclose; and as the road has also failed to pay the tax required by the constitution, it becomes the duty of the Legislature to "provide by law for the sale of the railroad and other property, and the franchise of the company thus in default under the lien reserved to the State."

This is the most valuable of the assets of the State applicable to the reduction of the internal improvement debt. The debt of this road forms a very large portion of the liability of the State, on account of internal improve-

ments, which has entailed a burden of taxation on the people; but it has added to our material wealth by the development of a broad belt of territory extending through the entire State, as is shown by the increase of population and taxable wealth of all the counties through which it passes.

The stockholders contributed to this great enterprise $3,609,215.23 of paid-up stock, while the State contributed $7,000,000.00 in bonds. These stockholders are, almost all of them, citizens of our State. The road has also a floating debt of over a million of dollars, which, I believe, is principally due to our own citizens. The county of St. Louis has loaned to this railroad its bonds to the amount of $700,000.00, by which it will be seen that the road is indebted, outside of the liability to the State, over $3,200,000.00. The company is financially so involved as to preclude the hope that it can ever redeem its property from the mortgage to the State. I recommend that you adopt such course as will, in your judgment, secure to the State the greatest amount that can be obtained on account of the indebtedness of this road. The loan of the public credit was for the purpose of building railroads to develop the State, and the people have borne taxation with that object; but a railroad completed for over two years should not, in justice to the tax-payers, be the cause of continued taxation upon them.

THE NORTH MISSOURI RAILROAD.

The work of construction is progressing on both the main line and the west branch of the North Missouri railroad—the latter being now completed to Brunswick. The gauge has been changed during the past year to four feet eight and a half inches, corresponding with the roads with which it has actual and projected connections.

The indebtedness of the North Missouri railroad to the State amounts, in principal and interest, to $6,698,610.00. The lien of the State on the road for this indebtedness is

subject to a first lien created by the act of the 16th of February, 1865, for the sum of $6,000,000.00.

This company is also in default for the interest on the bonds borrowed from the State, and has not paid the tax levied by the constitution. The earnings of the road for the year ending 1st of October last were $698,237.67, as reported to me by the Fund Commissioner.

It was the intention of the Legislature, in permitting the first lien to which I have referred, to secure the building of the west branch to Kansas City, the main line to the southern border of the State of Iowa, and a railroad bridge across the Missouri river at St. Charles, by which the value of the mortgaged property would not only be enhanced to the full amount of the prior lien so permitted, and thereby the security of the State for her debt be not lessened, but the extensions would, in addition, by developing some of the richest agricultural portions of the State, be an incalculable and lasting benefit to the people.

The proceeds of the sale of the bonds authorized by the act of 16th February, 1865, are being rapidly applied to the extension of the west branch and main line. It is desirable that the whole proceeds of their sale be applied so as to obtain for the State's lien the benefit of the consequent increase of value of the mortgaged property.

THE HANNIBAL AND ST. JOSEPH RAILROAD.

By the act of 10th of December, 1867, entitled "An act to secure the completion of certain railroads in this State," the Pacific, the North Missouri, the Hannibal and St. Joseph, and the Iron Mountain railroads were bound to pay annually into the Sinking fund one and a quarter per cent. on each thirty-year bond, and two and a half per cent. on each twenty-year bond loaned them, respectively; also, ten per cent. of the net earnings of said roads after they should each be completed. The act amendatory of that law, approved March 3, 1857, postponed the payments required of the several roads for the Sinking fund

until the 1st of January, 1859. No payments on account of Sinking fund were ever made by either of these companies. Afterward the Legislature, by an act entitled "An act directing the collection of certain money due the State," approved March 28, 1861, directed the Commissioners of the State Interest fund to sue the Hannibal and St. Joseph railroad for the amount of percentage due by the act of 10th of December, 1855, but the Commissioners ever since that time have failed to commence such suit. This road has never been in default for interest on the bonds loaned it by the State. During the past year the company has expended a large sum in reducing the grades, relaying track, and other improvements on its road. The State has the first lien for $3,000,000 on this property. The road cost $7,707,763, exclusive of interest, discount, and exchange, and is, and must always be, one of the most valuable roads in the State. Its debt to the State is not increasing, while the value of our security is constantly augmenting. This company promptly pays a State tax on its road and property the same as other real estate.

Considering these circumstances, and fearing that to compel immediate payment of the accumulated percentage by the company would embarrass it so far as to prevent some of the improvements then being made, I advised the Commissioners of the Interest fund not to sue a company which, in war and peace, had so well protected the credit of the State, but to postpone action until the question could be referred to the Legislature.

LAND DEPARTMENT.

The records of sales of State lands are imperfect and without the systematic arrangement necessary for easy reference. Indeed, it is impossible to know from the records, as heretofore kept, what portion of the internal improvement grant, or of the seminary, saline or swamp land grants have been sold, or when, or to whom. I recommend that these records be perfected.

There should also be made and preserved in the office of the Register of Lands a complete list of all the land heretofore sold, or that may hereafter be sold at the several United States land offices in this State. This list should be numerically arranged by sections, townships, and ranges, so as to afford the greatest facility for ascertaining the name of the original purchaser and date of sale of any legal subdivision of land.

The archives, field-notes, maps, records, and papers belonging to the office of the Surveyor-General of Illinois and Missouri appropriately belong to the office of the Register of Lands, and I recommend that the act of the 16th of December, 1865, providing for the care and custody of these records and papers, be so amended as to make the Register of Lands, ex-officio, custodian of them.

The grant under the act of Congress of the 28th of September, 1850, embraces a large quantity of land not yet patented to the State. Selections made by our State under the law to the amount of a million acres have been rejected by the Department of the Interior, and a quarter of a million acres on approved lists have not yet been patented, a great portion of which may be secured by diligent attention. A large portion of the three million acres patented to the State and given to the counties for school purposes has been sold and conveyed by the counties. No record of these sales has been kept in the office of the Register of Lands from 1857 to 1866. The counties should be required to supply the record for that period.

The Register of Lands is charged by law with the duties of Swamp Land Agent. The claim of the State under the act of 28th of September, 1850, and under the acts of Congress of 2d of March, 1855, 3d of March, 1857, and 12th of March, 1860, embraces one million of acres of rejected selections, $250,000.00 for land entered with money at the United States land offices after its selection as swamp land, and a hundred thousand acres for land thus selected and afterward entered with land warrants. To obtain any part of these claims special efforts will be necessary.

I therefore suggest that the Register of Lands be allowed at least one additional clerk for the present year and that he be authorized to employ such assistance in prosecuting the claim of the State under the acts of Congress referred to, as he may deem necessary and as may be approved of by the Governor.

PUBLICATION OF THE LAWS.

There necessarily elapses a considerable period of time after the enactment of our laws before they can be published and distributed in book form. Our statutes usually take effect from and after the date of their passage. The most efficient method of giving early and general information of such laws to the people should therefore be adopted. I suggest, as a means of affording authoritative information of the changes or additions to our laws of a general nature, that such laws shall, as soon as may be after their enactment, be published in one newspaper in each county. The cost of such publication may be saved to the State by decreasing the number of copies of the laws usually published in book form.

REGISTRATION OF VOTERS.

The law on this subject is materially defective in not providing that a competent voter who may fail, for any cause, to be registered at the registration preceding a regular election, shall be entitled to be registered at a subsequent registration preceding any special election.

The time limited by the eleventh section of the act of 16th of December, 1865, for the sitting of the board of appeals and revision is not sufficient for that purpose in many counties, and should in my opinion, be extended to embrace at least ten days.

I also recommend that provision be made for a complete registration of all the qualified voters of any county where there has been or may hereafter be a failure to make any registration at the time now provided by law.

COURTS.

I call your attention to the want of uniformity in the system of the inferior tribunals which the General Assembly has from time to time established. In some counties probate and county courts are separately established; in other counties of the same population there are only county courts with probate jurisdiction; in others the judge of probate is made ex-officio presiding justice of the county court; in others there are established courts of common pleas with probate jurisdiction, and numberless special laws are enacted, or altered, or amended in reference to these courts at every session of the Legislature.

This is a subject to which a general law can be made applicable, and, in my opinion, such a law is required by the constitution. You have the experience of the older States, as well as the experience of nearly a half century in our own State, to guide you in making a uniform system of county and probate courts, and the importance of doing so will, no doubt, commend itself to you on examining the numerous acts now in force in reference to such courts.

CIRCUIT ATTORNEYS.

Under the provisions of the Revised Statutes of 1855, circuit attorneys were elected in the several judicial circuits of the State at the November election, 1864, for a term of four years. By the ordinance of the State Convention vacating certain civil offices and directing the manner of filling the same, adopted on the 17th of March, 1865, the office of circuit attorney became vacant, and was filled by appointment for the remainder of the term for which circuit attorneys were elected in 1864.

The sixth section of chapter eighteen, General Statutes, requires that circuit attorneys be elected in November, 1866, and every four years thereafter. So general was the misapprehension on this subject on the part of the people, owing to the time which elapsed before the distribu-

tion of the General Statutes, that in some circuits no election for circuit attorney was held in November, 1866, and in all the others, except the Fifteenth Circuit, the vote was very small—in many instances only one or two counties voting at all, and even in those instances the vote given for that office was far less than was given for any other office. I recommend that section 6, chapter 18, General Statutes, be amended so as to make the office of circuit attorney elective at the general election in November, 1868, and every four years thereafter.

In this connection I suggest the subjects of the salaries of the circuit attorney, and recommend that they be increased to such sum as will be a reasonable compensation for the labors required, and thereby uniformly secure to the State in the prosecution of violators of the law the services of men of good ability in their profession. The saving to the State of costs in criminal prosecutions would more than reimburse for a reasonable increase of salary.

MILITIA.

I most earnestly renew the recommendation made in my last message in reference to the organization of the militia. But if, in your opinion, the ordinance of the State Convention should not be wholly superseded by a law better adapted to the organization of the militia in time of peace, I hope it will be so amended as to authorize the formation of volunteer companies and regiments, and the acceptance of their rolls as a legal enrollment under existing law.

I call your attention to the fact that the militia has not been paid for services in Lafayette county. Although the county is liable, by law, to pay for that service, I recommend that an appropriation be made to pay the same out of the Union Military fund.

In August last I became satisfied that the civil authorities in some of the sparsely populated counties of the southern border were unable to bring to justice the members of an organized band of desperadoes who made fre-

quent incursions into the counties of Howell, Oregon, Carter, Dent, and Texas, committing murders and robberies. I directed Major Monks, of the 11th battalion Missouri militia, to detail for active duty fifty men of his command, and proceed to aid the civil authorities in thoso counties in bringing to justice violators of the law whe resisted legal process and defied the civil authorities. This he did with signal success. The honest men of that part of the State being thus assured and sustained, rallied to the assistance of the civil officers and have made the law a terror to evil-doers. The appropriation for pay of militia should also cover this service.

INSURANCE LAWS.

The provisions of law for protecting the people from loss and imposition through irresponsible insurance companies, organized under chapter 67, General Statutes, are insufficient. In the older States these companies are required to have some actual capital in assets available to the assured; but under our present law persons may form companies and do business without a bona fide security for paying losses. This subject deserves your careful attention. Each company now organized or hereafter to be organized under the general law, and each foreign company permitted to take insurance risks in this State, should, in my judgment, be required to furnish, either to a State officer, who may by law be designated, or to a commissoner especially appointed for that duty, satisfactory evidence that it has paid up cash capital bearing a reasonable proportion to the whole amount of risks taken by the company, securely invested in United States or Missouri bonds, or in notes secured by liens on real estate of an assessed value one-fourth greater than the face of such notes, or in approved dividend-paying stocks of established market value, readily convertible into money. A penalty should be enacted for a failure to comply with the second section of chapter 90, General Statutes, and for any attempt to pursue the business of insurance in this State without compliance

with the requirements above suggested; and it should be made the duty of the officer to whom these returns are made to prosecute all such violations of law. In some other States the labor thus required occupies the whole time of a commissioner empowered to supervise the business of insurance, and whose salary is paid by the companies doing business within the State. But whether the duties contemplated be imposed upon an official especially appointed to perform them, or upon one of the present State officials, I recommend such legislation as will, in your judgment, best protect the people against unsound companies or their agents. Mutual companies should also be prohibited, under penalties, from doing business as stock companies until they have complied with the provisions of law regarding insurance applicable to stock organizations. There is no pecuniary loss borne by the people for the prevention of which greater care should be taken in framing our laws than the loss incurred by paying for worthless insurance policies. A thorough revision of chapter 67, above referred to, seems to me desirable. I have no doubt that your examination of the subject will profitably embrace the experience and example of other States.

BOUNTIES AND PENSIONS.

At the last session of Congress a bill passed both houses granting the same bounties to soldiers of the Missouri State Militia as have been given to other soldiers of the volunteer army of the United States, but it failed to become a law, owing to an unfortunate omission to present it to the President for his approval within the proper time. Our Senators and Representatives in Congress have diligently labored to remove the discrimination which a mere name of organization has made against ten thousand of Missouri's brave soldiers, who did effective service and were, in every true sense, United States volunteers. It is hoped that the bill giving justice to them will again be passed and become a law at the present session.

The agent appointed under the act of the General Assembly of the 13th of February, 1864, to forward and prosecute the claims of widows and orphans of deceased soldiers and soldiers disabled in the service of the United States, reports the number of claims filed with him during the past year at 822, and the number finally disposed of during the same period at 794.

The act creating this agency requires the agent to reside at St. Louis, and gives him a salary of $3,000.00 and $1,000.00 for contingent expenses. I am of opinion that the salary is sufficient for the pay of the agent to reside at Washington, where he would be enabled, by his personal presence, to secure more speedy action on the claims made by him, and where he could perform such other services in attention to business before the various departments at the National Capital as the interests of the State might from time to time require. For the details of the operations of the agency during the past year, I refer you to the report of the agent, which is herewith transmitted.

INSANE ASYLUM.

The number of patients in this institution has doubled since the passage of the law fixing the annual appropriation for its support. The number of employes has necessarily been increased. I recommend that the appropriation be increased to the sum shown by the report of the managers to be necessary for its proper maintenance.

I also recommend a special appropriation for providing the means of furnishing a sufficient supply of water, for repairs of the buildings, and for increased facilities for the comfort, security, amusement, and exercises of the unfortunate class who are inmates of the Asylum. The estimate for these purposes amounts to $20,000.00 as appears by a special communication addressed to me by the managers, which I herewith transmit for your consideration.

CONCLUSION.

It will not have failed to attract your attention that this review of the condition of the State, and of topics demanding legislation, is mainly a record of progress. At every point the new life of the State manifests itself in improvements or in demands for improvement. Through all the arteries of the commonwealth throbs new blood; in all its sinews it feels new strength; in every department the work of rebuilding, restoration, revivification, progress, and development of resources goes on with unexampled vigor. Within the year the payment of accruing interest on the public debt has been resumed, and the redemption of a part of the overdue coupons has given new confidence to capitalists.

Education marches on with rapid stride to drive from the State that ignorance which is the most deadly foe of a free government. Improvements start up on every hand; the pick of the miner pierces to the rich stores locked up in our hills; the art of the engineer spans mighty rivers; the engine starts echoes from hills never before waked by the whistle of its shrill music, and opens to wide and fertile regions the commerce of all the land. In every village and every town capital rears temples of industry, private enterprise works for the public weal, and thrifty, happy homes rise from the ashes of the war. If the year has been one of general depression in business, and if some of our own endeavors have failed, we may yet look back upon great triumphs, trace them to their cause in the application of true principles in our government, and feel assured that we witness, as yet, only the dawn which heralds the perfect day. The truths of principles and policies are found in the results of their application to governments, and truth known will never be deserted by free and brave people. Encouraged and strengthened, we shall not forget that there is yet work to be done. To everything that will hasten the progress and increase the prosperity of the State,

it is your privilege to extend the helping hand. There is enterprise to be fostered, industry to be stimulated, order to be maintained and perfected—above all, the broad principles of justice, equality, and freedom have to be sustained and firmly established. As I know that you do not forget the past, and look with pride and pleasure upon the advancement already made, I do not doubt that you will faithfully perform the duties before you, and contribute by wise legislation to such general welfare of the people as will merit for your acts the approbation and protection of a just and allwise Providence.

THOMAS C. FLETCHER.

Executive Office, January 8, 1868.

SECOND BIENNIAL MESSAGE

JANUARY 8, 1869

From the Journal of the Senate, pp. 13-35

Senators and Representatives:

The general condition of the affairs of the State warrants me in congratulating you on entering upon the discharge of the duties devolved by the Constitution upon the legislative branch of the government.

We are in the full enjoyment of all the blessings of National Government, and feel the inspirations of the new and high hopes which are founded on the recent strong proof of the capacity and will of the people to govern themselves. The land is filled with plenty. Peace is confirmed. The voice of the people has called one who knows his duty wherever placed, and with majestic firmness performs the work set before him, and into his hands they give the nation's laws to be enforced. Confidence pervades the minds of the whole people that the soldier President will display, as the Chief Magistrate the signal virtue and ability which have distinguished him as the head of the armies; that he will lead on in the civil department to the victories of peace which will vie in brilliancy with the successes of war. The men who upheld liberty and stood by the Union have selected him to stand guard for four years over the fruits of the victories in the field; and they repose in perfect security that in his hands the sword of the nation will protect their Constitution and laws, and that to their will as expressed in those laws, obedience will be compelled in every part of the Republic.

You come to the discharge of your high duties fully impressed, I trust, with the responsibility of making free Missouri as distinguished for the justice and wisdom of her laws as for the possession of those natural advantages for which she is so famed.

The present prosperous condition of the State has been achieved in a contest with a hopeful, vigilant and untiring political party, led on by unscrupulous and desperate partisans, who have struggled with fearful energy to stay our course and weigh us down to the uninviting past. The decree of the people rendered in November last, has forever sealed the fate of the policies which opposed the advancing column of civilization and human progress. It is your proud privilege to institute the measures for readjusting the foundations of our political structure, and to rear it up in the beautiful proportions of liberty and equality; to more firmly establish justice and assure its speedy administration; to decrease the means that tend to the demoralization of the people; to initiate measures for the elevation of morals; to diminish the expenses of government; to simplify the laws; to extend and improve the system of education; to encourage commerce, manufactures and internal improvements; to give additional dignity, impressiveness and efficiency to both the system and manner of government; to increase the privileges and improve the condition of whole classes of the people, and better insure peace and tranquility.

To these ends I recommend that you submit for adoption by the people an amendment to the State Constitution, providing that every person disqualified as a voter by the terms and effect of the third and eighteenth sections of the second article, except "bushwhackers" or guerrillas; persons who, after having voted or held an office, claimed the protection of foreign governments during the war; persons who at any time or for any purpose have falsely taken the "oath of loyalty," shall, upon application to a court of record in the county of his residence, and upon proof by two credible witnesses that he has deported himself as a good citizen since the fourth day of July, 1865, and by his conduct manifested an attachment to the principles of the Constitution and Government of the United States, and a disposition to the good order and happiness of the

State, receive a certificate which shall entitle him to be registered as a legal voter.

This is, in substance, the manner of regaining citizenship lost by participation in the rebellion, suggested by me four years ago in my Inaugural Message.

It is a primary object of government to give security to life and property, and to this end laws are enacted. The justice of the law is attainable only through the judicial tribunals. Courts must derive the facts to which the law is to be applied from the moral sense that fear of punishment is invoked through the means of an oath. Whatever tends to deaden the sense of moral obligation to the community or to lessen the fear of punishment for false swearing, tends directly to lessen the security of every citizen in his life and property.

Every oath unnecessarily required of the people has the bad effect of so familiarizing their minds with the ceremony of judicially calling the Creator to witness the truth of their asseverations that its solemnity and impressiveness are lost. The oath of loyalty, as prescribed by the sixth section of the second article of the Constitution, is conclusive of nothing, as other provisions show, and inasmuch as conviction for falsely taking it cannot be had, it is, therefore, unnecessary for any good purpose. My views in reference to this oath as required of voters, I take the liberty of repeating here from my message to your predecessors at their first session: "The ballot is thereby offered as the price for perjury, and the most loyal, no matter how unlearned, are required to swear that they are well acquainted with the terms of the third section of the second article. That section defines what shall constitute a disqualification as a voter. Aside from the utter failure of this oath as a means of protecting the ballot box from the votes of disloyal persons the provisions of the Constitution of the United States and the humane principle of law that no one shall be compelled to testify against himself, seem to be, inconsistent with the end sought to be accomplished by the voter's oath. There are certainly less objectionable

and more effective modes for the enforcement of the disfranchising law." It may be accomplished by punishment for illegal voting more effectually than by punishment for false swearing done in aid of illegal voting—thereby removing an inducement for the commission of perjury. While the second section of the fourteenth article of the Constitution of the United States clearly carries with it the right of the State to disfranchise any portion of its citizens for participation in rebellion, the Supreme Court of the United States will most probably hold that an oath of loyalty cannot be exacted as the means of effecting that object.

The eighth section provides for the taking of the "oath of loyalty" within fifteen days next preceding the election by all candidates for whom any vote may be counted. An incentive to false swearing is thus held out. Frequently the will of the people, in their selections of those whom they wish for civil officers, is defeated by want of attention to this requirement on the part of such persons. The qualifications of men to hold office being well defined, the taking of this oath confers no qualification that did not previously exist. The party falsely taking it cannot be punished for perjury; but he may be denied an office to which he has been elected because of his want of any of the qualifications prescribed by the Constitution of the United States or of this State, even though he has taken the oath.

The ninth section which requires this oath to be taken by a number of officers and others has been judicially determined to be in conflict with the Constitution of the United States and therefore inoperative and void. The portion of this section which has not been so passed upon and decided to be of no effect, is the first clause of the section which requires the oath to be taken by all persons before entering upon the duties of any office to which they may be appointed. The reasoning applied to the oath as required of candidates holds good in reference to the oath required by this section.

The eleventh section requires the "oath of loyalty" to be taken by grand and petit jurors. In this case the

inducement offered is to refuse to take the oath and thereby avoid the performance of one of the duties of a citizen, necessary to the good of society, but which each man prefers that some other than himself should perform. A refusal to take this oath as a juror involves no consequences and no punishment awaits the taking of it falsely. This requirement of the Constitution is not observed in some of the courts of the State. Public opinion, in many localities, regarding it as unnecessary and unfruitful of any good, does not demand its enforcement. Even where it is required, a conviction for falsely taking it cannot be obtained. No instance has been brought to my knowledge of a conviction for falsely taking the "oath of loyalty" either as a juror, as a candidate or as a voter. It is the certainty of the execution of laws that gives feeling of security to good citizens and restrains bad men. The non-enforcement of laws begets a habit of neglect of the duties of a citizen, which tends to a lawless spirit and the worst consequences to society.

Every department of the government is within the control of the supporters of liberty, law, order, justice, loyalty and progress. The executive office is committed for the coming two years to the care of a citizen of known and tried firmness in the right and fidelity to the interests of the people. The great principles for which the patriotic men of the State heretofore fought and lately voted have been established and confirmed by the recent election, never more to be seriously endangered. The time is auspicious. You may make the legislation of the Twenty-fifth General Assembly an epoch of new progress in our history.

Though the proposition to strike from our Constitution that provision which, in hostility to the fundamental idea of a republican government, confers the governing power upon one class of persons, fell before unreasoning prejudice, more than fifty-five thousand men voted for it, and gave earnest of its ultimate success by the election of men to all the State offices, and a majority of the members

of Congress who advocated its adoption. Prejudice itself is not so blind as to fail to see in the steady and rapid growth of radical democratic principles, our early future radiant with the perfect equality of the political privileges of men. It is the part of the statesman and patriot to continue to present the true principles of free government relying with confidence on the intelligence and justice of the people to eventually recognize and adopt them. The true principle of a republican government as to who are citizens, is declared in all its breadth and liberality by the first section of the fourteenth article of the Constitution of the United States. Citizenship is the true basis of the right of suffrage. No permanent disfranchisement of any intelligent being is consistent with our theory of free institutions, unless it be necessary to the safety of the government. The liberal minded man recognizing these truths will, as soon as safety is assured, seek at once to better the condition and promote the welfare and happiness of all the classes that have been excluded from political privileges. The rebel was disfranchised for safety and not for vengeance; the loyal colored citizen for neither safety nor vengeance, but from prejudice, which must fall before the reason of an intelligent. a just and liberal people. It is safe to enfranchise the rebel who, returning to his allegiance, has for three years and a half obeyed the laws and conducted himself as a good citizen, despite all the efforts of unprincipled partisan leaders to induce him to swear falsely, and otherwise disregard and defy the laws. His silent appeal for the ballot by good conduct, is made not only to our magnanimity and generosity, but also to our best judgment of good policy in strengthening the government, by interesting a class of resolute men in its active support. The amendment to be proposed, should, in my opinion, dispense with the "oath of loyalty," not only for the purpose of voting, but for all other purposes for which it is required by the Constitution. The power given the General Assembly by the twenty-fifth section of the second article, carries with it the evidence that the framers of the Constitution regarded the dis-

franchisements of the second section, and the requirement of an oath in the fifth section, as mere temporary provisions, necessary to the safety of the State under circumstances such as then existed, but unnecessary, and not to be preserved in the fundamental law when peace and order should prevail.

It cannot be denied that the greatest dangers which have threatened the well-being of the State during the past three years, have come from men to whom the disfranchisements of the second section do not apply, or who can only be reached by purging their consciences by means of an oath—a means which has proved ineffectual to that end. Nor can it be controverted that the majority of the men who were engaged in actual rebellion and open fight, have since their surrender, demeaned themselves as law-abiding citizens; and while they have refused to commit moral perjury, when no fears of legal punishment were before them, other classes of the disfranchised have not hesitated to swear falsely; to encourage others to do so, and to resist and counsel resistance to the Constitution, laws and officers of the State, thereby showing the insecurity to the good order of society from their participation in the rule of the State through the ballot.

Let obedience to the law have its reward. Let us welcome to a participation in political privileges, all who have by their actions shown the disposition to unite with us in maintaining a government of civil law, and a desire to share our duties as citizens as well as our privileges. Let enfranchisement come by an amendment to the Constitution, so that the Legislature may not exercise the power given by the twenty-fifth section, to repeal any part of the third, fifth and sixth sections of the second article, in the absence of any power to repeal the word "white" in the eighteenth section of the same article. Let us guard the safety of the State by excluding from its rule those who have rebelled against the laws of God and their country, by super-adding perjury to treason, and who stand in an attitude of defiance to the civil rule of the men who won in fair fight

the right to govern. In the calm enjoyment of the final triumph of the Union, and exulting in the firm establishment of loyal rule in Missouri; with pride in having aided to win the one on the battlefield, and in having borne apart in securing and maintaining the other, I have made these suggestions in full confidence that they are consistent with the safety of the State, and in the earnest hope that you will submit to the people an amendment to the Constitution embracing their objects.

DISTRICTS COURTS.

The amendment to be submitted by you should also embrace a provision striking out the twelfth section of the sixth article of the Constitution. This proposition was recommended by me to the consideration of your predecessors.

The District Court established by this section is merely an intermediate tribunal between the Circuit and the Supreme Court, having exclusive appellate jurisdiction from the Circuit Court. It increases the labors of the Circuit Judges without diminishing the work of the Supreme Judges. It is a bridge with heavy tolls, erected on the highway of justice between the Circuit and the Supreme Court, at a point where there is no stream to cross. The effect of this court is to delay final judgment in cases where the ruling of the Supreme Court is desired. The expense and inconvenience to litigants having to pass through it are so burthensome as in many cases to be equivalent to a denial of justice. To afford speedy justice with the least possible expense should be the object kept constantly in view in framing all our laws for the organization of courts.

For the immediate relief of the people from the burden of the useless expense and delay of this court, I recommend that the statute establishing District Courts be repealed.

IMMIGRATION.

The unprecedented influx of population is a cause for congratulation. In your respective localities this increase

of people and of wealth is so fully seen and appreciated that it is only necessary for me to mention the aggregate increase since the first of January, 1865, and to commend to your encouragement some of the means which have contributed to this good result. On January 1st, 1865, the population of the State was less than one million; now it is fully fifteen hundred thousand—an increase of about fifty per cent. in four years. In 1860 the assessed value of all personal property and real estate was $273,746,492.30, added to which was the value of slaves $44,181,912, making a total, including slaves, of $317,928,404.30. A devastating war, and the declaration that people were not chattels had reduced the valuation of our taxable property on the 1st of January, 1865, to but little more than $200,000,000. Now we have nearly $500,000,000 worth of taxable property, being almost $200,000,000 more than we had in 1860, including the value of slaves.

In pursuance of the suggestion in my inaugural message, an act was passed in 1865 creating the State Board of Immigration. The labors of this board have largely contributed to carry abroad into other States and into Europe the knowledge of the advantages offered to immigrants by our State, thus inducing thousands to come among us. The system of encouraging immigration adopted by Missouri is commended generally and regarded by our neighboring States as worthy of imitation. I cannot better convey an impression of the value of the work done by the board, in writing, publishing and disseminating many thousands of documents containing information respecting our State to the people of Europe, than by quoting a paragraph from a translation of a letter from the editor of a journal published in Bremen, who has been interested in aiding the efforts of the board. He says: "Without undue pretensions, we may claim that through our efforts during the last few years Missouri has become a well known and favorite point of emigration. When parties wishing to build up a new home on the other hemisphere inquire as to what State of the Union is the best to settle in, Missouri

is named in the foremost rank. This is a great deal, considering that less than ten years ago Missouri was almost unknown amongst the mass of the people of Europe."

The Governor and Secretary of State are ex-officio members of the board. For the great success attending this means of promoting and encouraging immigration much credit is due to Hon. Frederick Muench, Hon. Isidor Bush and Hon. Amadee Valle for the time and attention they have voluntarily given as members of the board. The efficiency of this board may be augmented by increasing the annual appropriation made for its use. Sufficient means should be furnished to enable the board to procure from the published and unpublished portions of the Geological Survey of the State and other reliable sources the compilation and publication of a concise and practical report on the geology of the State.

The Board of Immigration has endeavored to show alike to all classes the attractions of Missouri. It has exhibited the advantages of the State to the capitalist and manufacturer not less than to the agriculturist and horticulturist. It has also directed attention to the superior profits of educated labor. But of the vast multitude of people who have come to our State during the last three years and a half, the proportion who came for agricultural and pomological pursuits far exceeds what might reasonably have been anticipated in view of our varied resources, adaptation to manufactures and profitable use of skilled labor. The explanation of this want of a diversity in the objects and pursuits of our immigration, proportionate to the variety of inducement for labor and capital can, in my opinion, be found to a great extent in the provisions of the sixth section of the eighth article of the State Constitution. This section makes each stockholder in a private corporation liable, over and above the stock owned, for a further sum equal in amount to the whole stock owned. To utilize the coal which we have in thirty-six counties, iron in thirty-five counties, lead in thirty-six, copper in twenty-two, zinc in five, nickel and kaolin in two, platina,

emery, alabaster and tin in seven counties, is scarcely less important to us as a people than the conversion of our champagne country into grain fields, and the wooded highlands into orchards and vineyards. We want labor alike for each of the industrial pursuits necessary for the development of our natural resources. In Missouri mining and manufactures may profitably employ half as many laborers as farming. We have nearly 400,000 persons employed in various occupations: of these 272,000 are engaged in agriculture, horticulture, etc.; of the 118,000 who follow other vocations not one-half are at work in factories or mines. If with all our facilities and adaptabilities for mining and manufacturing we have less than sixty thousand persons engaged in these employments, we may trace the cause in a great measure to the want of inducements afforded by our laws for the investment of capital in manufactures, and to the excessive liability now prescribed by law of corporate organizations. We want more educated labor to be applied to our abundance of crude materials. Skilled labor is ever attendant upon capital. Enterprises in mining and manufacturing usually subject capital to all the risks of experiment. Large investments are generally necessary to these enterprises. The association of capital supplies the large sums requisite for such undertakings. In these investments the Eastern and indeed our own capitalists would generally commit their funds to the management of other persons, and while they would willingly risk a stipulated sum, they are unwilling to be made liable for a larger amount than their original venture. The public has always a better opportunity of learning the financial condition of a corporation than it has of ascertaining the pecuniary ability of an individual. While the whole world knows of our mountains of iron and our rich lodes of other ores; while it is demonstrated that we have near at hand the coal by which the iron ores may be reduced at a cost which will almost defy the competition of foreign iron, even if admitted duty free; while the subject of the metallurgic capabilities of our metropolis has recently been presented by Prof. S.

Waterhouse in an article prepared for the State Board of Immigration, with such startling truths and impressive results, as to awaken the attention and interest of capitalists in Europe as well as in America; there is still wanting that freedom of organized capital which is certainly requisite to bring hither the money and the labor to make Missouri what she assuredly can be made, the first manufacturing State of the Union. While this provision of our Constitution prevents responsible and prudent men from embarking their capital in associated enterprises, it does not prevent irresponsible and reckless persons from practicing the most shameless impositions, as is shown in the number of spurious insurance companies, and other baseless corporations which continually bubble up and again disappear with ill-gotten gains. It prevents honest men from subscribing and paying up stock, and is no restraint upon dishonest adventurers in subscribing what they never intended to pay. It affords no protection to the people. It is an invulnerable defense on the side where there is no assailant, but no safeguard on the side which the enemy will be most likely to assault. I recommend that you submit to a vote of the people an amendment to the Constitution striking out the latter clause of the section mentioned.

FINANCE.

In informing you of the condition of the finances of the State at the present time, it will be proper to deduce that condition from a brief aggregate statement of the general financial operations of the past four years; from the gloomy and discouraging time when a debt of about thirty-seven millions of dollars, with its growth of terrible weight in accumulation of interest, threatened to crush out the hope and energy of the people in their noble struggle to maintain the honor of the State—to the brighter day on which they were able with the just pride of honest men to rejoice in a financial standing in the money markets of the world equal to that of any of the States.

Since the first of January, 1865, there have been paid and retired Bonds, Coupons, Military Bonds and Defense Warrants, with interest thereon, amounting in the aggregate to $23,145,130.80 as follows:

State Bonds received in payment of dues to the State for railroads, etc.	$6,897,000.00
Union Military Bonds redeemed	4,794,387 00
Interest paid on same	380,720.13
Defense Warrants redeemed.	304,055.00
State Bonds received on account of claim against United States.	63,000 00
Bonds for old debt due in 1862 and 1863, paid.	32,000 00
Interest on same	7,803 00
Bonds of same, same series, taken up with new 20-year Bonds.	304,000 00
Revenue Bonds paid	354,000 00
Interest paid on same.	98,670.00
Coupons taken up by issue of Consolidation Bonds.	3,868,000 00
Overdue Coupons paid at New York in money	3,070,682.63
Paid for current interest	2,259,090.00
Coupons received for dues to State.	472,575 00
Interest paid on State debt proper	192,145.44
Coupons received on account of claim against United States	47,002.60
Total	$23,145,130 80

Of this sum $6,355,183.20 has been paid in money for interest overdue and accruing, $2,120,180 of which was transferred from the State Treasury to New York, the transfer being made without cost of exchange to the State.

There have been issued during the same period consolidation bonds and renewal bonds, amounting to $4,126,000. The total bonded debt of the State at this date, for which we have hereafter to provide, is as follows:

Six per cent. Bonds issued to aid Railroads.	$13,734,000.00
Consolidation Bonds	2,830,000.00
Seven per cent. Guaranteed Bonds.	1,589,000.00
State Debt proper	453,000.00
War debt	48,000.00
Total	$18,654,000.00

The semi-annual interest on which is $567,565.

The assessed value of taxables is $470,773,119. The annual tax of one-fourth of one per cent. voted by the people upon themselves by the ordinance adopted in 1865 for the payment of the State Debt will therefore be $1,178,-502.32. Upon the basis of the increase of taxable values which have grown from $215,000,000 four years ago to the present amount, and relying on the continuation of our prosperity, we may calculate that with close collections of the revenue something may be realized a year hence for the Sinking Fund. The yearly investment of the excess of Interest Fund for a Sinking Fund in bonds of the United States, and the prompt re-investment in such bonds of all interest received thereon may swell this Sinking Fund to a sum in 1872 very nearly sufficient to meet the first series of short railroad bonds which begin to fall due at that time. These bonds were issued from 1852 to 1860; $477,000 of them fall due in 1872.

By existing law the Fund Commissioners are required to invest the Sinking Fund in the "Consolidation Bonds." These bonds have nineteen years to run. If it is thought best to retire our bonds with the Sinking Fund before they are due, then those first to fall due should be the first retired.

The total receipts into the Treasury from all sources during the four years from the first of January, 1865, to the first of January, 1869, were $22,113,680.07. The total disbursements during the same period have been $19,702,-589.26—leaving a balance in the Treasury of $2,411,060.81, which consists of bonds and other evidences of debt and securities held in trust for school and other purposes, and of $738,547.52 in currency.

The money to meet the January interest on our bonds has been forwarded. The redeemed and canceled bonds and coupons in the offices of the State Auditor and Treasurer, amounting to about nineteen millions of dollars, should be destroyed, after being carefully compared with and canceled upon the registers. I recommend that the committee now engaged in examining the accounts of the State Auditor

and Treasurer be empowered and required to perform this duty.

There is held by the State Treasurer $167,000 in bonds issued to the Hannibal and St. Joseph railroad and received from the Pacific railroad in payment of indebtedness to the State. The Treasurer should be required by law to receive the semi-annual interest on these bonds as it falls due, and the principal at maturity and place the same to the credit of the Interest Fund.

A portion of the bonds issued under the act of 15th of February, 1864, denominated the "War Debt," fell due in July last and the remainder will fall due in July next. An appropriation should be made out of the Union Military Fund for their payment. These bonds were given for money advanced by the banks to Governor Gamble for the purchase of arms. As has been shown, they amount in the aggregate to $48,000. There was a balance in the Union Military Fund on the 1st of October last of $464,-637.89. After paying the bonds above mentioned, and after supplying therefrom the deficiency in the Revenue Fund, the balance of this fund should be transferred to the credit of the Interest Fund, and all receipts for the Union Military Fund should hereafter go to the State Interest Fund. Of the bonds which fell due in 1862-63, denominated "Sterling Bonds," and for the payment of thirty-five of which provision was made by the act of March 18th, 1868, thirty-two have been paid, one has never been presented, and two are held by a person who refuses to receive payment in currency. It is so nominated in the bonds that they are payable, principal and interest, in gold or silver.

With great satisfaction I communicate the final settlement of the claim of the State against the United States for reimbursement for military expenses incurred during the rebellion. This claim engaged my attention very early in my administration of the affairs of the Executive Department of the State. It was a large claim—so large that all experience suggested extraordinary exertions as being necessary to obtain its settlement within a time not

measured by decades. It amounted to nearly six and a half millions of dollars. Knowing that we could never hope to obtain interest on the claim, every day of delay in its collection was a loss to the State. The interest at six per cent. being about $390,000 a year, every year's delay was a loss to us of that amount. Our State debt was swelling continually by accruing interest, and there was no means to stay it but through the collection of this claim; the school houses must continue closed and the large issue of Union Military Bonds must remain depreciated, unredeemed, and accumulating interest. Under this state of facts I employed as my agent General John B. Gray, a gentleman familiar with all the details of the manner in which the claim had accrued. I agreed to give him one per cent. of all that he could collect, and to allow him one-half of one per cent. for expenses—his pay to be wholly contingent upon his collections. He prepared a synopsis of the claim and went to Washington to aid in presenting it and procuring the passage of a law for its payment. He rendered valuable aid to our Senators and Representatives in their faithful and able effort by which the act of Congress of April 17, 1866, was finally passed. A commission was then appointed to adjust the account. General Gray put in abstract form the vouchers and prepared the account for presentation. One of the commissioners was appointed minister to a foreign country and another to a position in the regular army. It was only by extraordinary effort that they were kept at the work until it could be hurried through. This was the more important in view of the fact that it was well understood that if the commission failed to act the President would delay the appointment of another.

The commissioners allowed us in the aggregate the sum of $6,475,851.01. General Gray then went to the Treasury Department with the vast amount of vouchers and papers which were the evidence to support his allowance. In April, 1867, he received the first installment, after meeting all the objections and counter claims presented by the Secretary of the Treasury, who desired delay. Among

these counter claims was one for about a million of dollars, made by the Quartermaster's Department, but which was shown by General Gray to have been settled. In the settlement we paid the direct tax of $700,000 levied on the State by an act of Congress, passed in 1862, and obtained the deduction of fifteen per cent., being $105,000 for its payment within the year 1862, upon the showing that our claim had accrued to that amount within the time specified by the act of Congress. Upon the argument of our agent $60,927.26 in overdue coupons upon Missouri bonds held by the United States was turned over to us and not deducted from our claim on the ground that the indebtedness had accrued to the State anterior to the time during which the coupons had run. By diligent labor he caused additional allowances to be made, and received in the aggregate $6,570,845.31, being $94,994.30 more than was allowed by the commissioners.

He has paid to the National Bank of Commerce, in New York, and into the State Treasury $6,472,289.35, being only $3,561.66 less than the amount allowed by the commissioners. The last payment made was the sum of $31,957.50, in overdue coupons of bonds of the State held by the Department of the Interior in trust for Indian tribes, which coupons I have deposited in the Auditor's office and caused to be canceled. These coupons were received by my direction in full satisfaction of a balance of $58,000, which had been suspended in the Treasury Department and of which we could make the necessary proof to obtain only about $15,000, under the ruling of the accounting officers of that department.

I herewith transmit the final report of General Gray, accompanied by official copies of his settlements with the Treasury Department, and a detailed statement of his account with the State.

The amount received for indemnity under the act of Congress of 17th of April, 1866, has been applied as follows:

To a permanent School Fund created by act of 11th of March, 1867	$1,500,000 00
To reimburse the Seminary Fund	108,364 45
To redemption of Union Military Bonds	1,683,232.27
To payment of overdue coupons	3,070,682.63
To payment of overdue bonds and coupons of the State, held by United States	110,010.00
Total	$6,472,289.35

EDUCATION.

The report of the State Superintendent of Schools will be found of unusual interest. It embraces a statement of the details of the condition of the Department of Education, and also presents a concise history of the rise and progress of our system of public schools.

The whole number of children between the ages of five and twenty-one years in the State is 544,664, of whom 510,183 are white and 34,481 colored. The number of teachers employed is 7,100. We have 6,040 public school houses in the State.

The Permanent School Fund now consists of

Missouri six per cent. bonds	$20,000.00
United States bonds	1,669,760.00
Total	$1,689,760.00

The interest received in gold on the United States bonds has amounted to $92,793. This gold has been sold for the aggregate of $130,991.25 in currency, of which the sum $92,-793 has been distributed to the counties for schools, being six per cent. on the original investment and $38,198.25 invested in United States bonds.

An act should be passed authorizing and requiring the investment of the profits from the sale of gold received for interest on the bonds held for schools.

The portion of the levy of revenue tax set apart by law for the School Fund for the past year is $217,011.60. The amount for distribution for the year, from all sources, is $273,261.30.

The active interest on the part of the people in the subject of education continues to increase. About half as many school houses have been built in one year of Free Missouri as were built in a period of forty years—from 1820 to 1860.

Within the last two years a system of "Teachers' Institutes" has been organized. They partake of the character of primary schools of training for teachers, and exist in every county of the State, with very few exceptions. The practical good resulting from the meetings of the teachers of each county for consultation and comparison of modes of instruction commends this feature of our general system of public instruction to the General Assembly for a legal embodiment and support in the acts governing common schools. This should be done, at least until a system of Normal Schools shall be established.

The advances to be made in the great work of popular education must be in the increase of facilities for acquiring a knowledge of the scientific branches pertaining most directly to the practical in the ordinary departments of life. Public instruction should embrace the rudiments of the science of government, at least so far as defines the general rights and duties of the citizen. It should also include the elementary sciences, especially as they relate to nature and industrial arts. The arts of industry should be supported by the sciences of the school. Instruction in the general principles of agriculture, of physiology, of botany, of natural history—in a word, instruction in the direction of future usefulness, should be authorized and required in our system of State schools.

THE STATE UNIVERSITY

is now in a prosperous condition. It has a full corps of professors, with the Normal Department, which was provided for by the last General Assembly, in complete and successful operation, and with a Military Department fully organized, in which military tactics and civil engineering are taught by a distinguished officer of the army, who

has been assigned to that duty under a law of the United States. The University begins to assume the proportions contemplated by the framers of the Constitution, and may soon be made to take rank among the best educational establishments in the country. Recent experiments have resulted in establishing a system by which students at the University may live at comparatively a nominal cost, thus bringing the advantages of a thorough education within the reach of every young man in the State who has the ambition and energy to seek it. Under this system, it is hoped that the county courts of every county in the State will see to it that the sons of the poor receive the benefits of the provisions made for them by the fifty-third and following sections of the forty-fifth chapter of the General Statutes. The University ought to be to every young man of Missouri as free as the public schools.

The endowment of the University is as follows, in addition to one and three-fourths per cent. of the balance of State revenue, after deducting amount for public schools:

United States 5-20 bonds	$100,000.00
Stock in bank at Chillicothe	23,000 00
Money in the State Treasury	707.50
Total	$123 707.50

The income from which amount during the past year —$10,677.50—added to the sum of $11,358, derived from State revenue, makes the total income for the past year $22,065.50.

Our State University comprises all that is contemplated by the act of Congress of July 2d, 1862, with the exception of a department for teaching such branches of learning as are related to agriculture and the mechanic arts. To endow this department we have 330,000 acres of land which inured to the State under the act of Congress before mentioned. The proceeds of this land cannot be used for buildings, but are required by the act of Congress to be safely invested, to constitute a permanent fund, the income from which can

alone be used for the college. Add this to the endowment of the State University, and make the learning of a collegiate course as free as the instruction of the public school.

THE MISSOURI MILITARY INSTITUTE

at Lexington has a feeble existence, derived from the appropriation of $3,000 per annum, made by the act of 13th of May, 1861.

A department for instruction in military tactics and civil engineering having been organized at the State University, it is unnecessary to continue the effort to build up a military institute upon the ruins of the old Masonic College. The property conveyed to the State for the purpose of this institute should be relinquished to the Masonic order, and the sum of $3,000 per annum be thereby saved to the State.

LAND FOR AGRICULTURAL COLLEGE.

On the 30th of June, 1867, there remained within the State, unsold and unappropriated, 1,835,892 acres of the public lands of the United States. Since that date there have been sold and located by scrip and land warrants, and taken for homesteads, about 375,000 acres, leaving about 1,460,000 undisposed of. The expense of keeping open land offices to dispose of these undesirable lands will leave but little if any profit from them to the United States. With proper management they could be made to yield something of consequence to the State. I recommend that you cause this subject to be fully investigated, and all the facts to be embodied in a memorial to Congress asking the cession of all the public lands within Missouri, for the purpose of making the grant to our State for a college for agriculture and mechanic arts equal to the grant of other States of a like population, and in settlement of all claims for land or money which we have against the United States under the Swamp Land Act of 28th of September, 1850. This would be just, inasmuch as we were compelled by the act of July 2d, 1862, to take the land granted by that act

for an Agricultural College within the State, and thereby obtained only such inferior land as was undisposed of, and which is not saleable at so great a price as was received for their scrip by States having no public lands.

There are other considerations which ought to be urged in behalf of this claim, and which will strongly commend it to the justice of Congress. By the seventh section of an act of Congress passed the 3d of March, 1811, one entire township of land was set apart for a seminary of learning in the territory of Louisiana. Afterwards, by the act of July 17, 1818, it was provided that two townships of land should be located for that purpose in the territory of Missouri. By the compact of 1820, made with Congress for the admission of the State into the Union, an additional township of land was to be given to the State of Missouri for the use of a seminary of learning. Thus the State of Missouri was entitled to three townships of land for that purpose. Only two townships were ever selected. If the three townships to which we were entitled had been selected in 1821, when the right accrued, the additional township selected from the land then subject to location would have been worth greatly more than all the land now remaining unsold in the State. In addition to this we have a claim against the United States for land selected under the acts of Congress of 28th of September, 1850, 2d of March, 1855, 3d of March, 1857, and 12th of March, 1860, amounting to upwards of a million acres of land, and a further claim under the same acts of Congress for $250,000 for land entered at the United States land offices with money, after it had been selected as swamp land, but before it was patented to the State. I have no doubt that, upon a proper presentation of the facts and a proposition on the part of the State to accept all the unentered land in the State in full satisfaction of all these claims, Congress will make the grant.

RAILROADS.

In my inaugural message I stated the number of miles of railroads in the State at eight hundred and twenty-six.

Now we have thirteen hundred and ninety-four miles of finished road and five hundred and sixty-nine miles in process of construction. A history of the material advancement made in four years recorded in iron chirography!

We have now, completed or in process of construction with the certainty of early completion, the whole system of roads as originally devised for the State. Four years ago there was but one of them finished. Five hundred and sixty-eight miles of railroad have since been built, without the increase of one dollar of the liability of the State on their account. These unfinished roads were wearing out. The State was paying interest on the bonds loaned to them, and getting nothing in return. The alternative was presented of keeping them as they then were, until they would be wornout and worthless, and paying the liabilities incurred on their account, without any compensating benefits to the State, or to use the portions of them then in running order as a basis with which to procure their extension and completion, and thereby develop the State and obtain population, capital and all the resulting benefits of communication between the commercial center and the great agricultural and mineral districts of the State. We chose the latter.

Provision should be made by law for the assessment of the State tax on all railroads and railroad property by the State Auditor, and for the payment of such taxes by the several railroad companies directly to the State Treasurer.

THE NORTH MISSOURI RAILROAD.

The act passed at the last session of the General Assembly for the sale of the claim of the State against the North Misouri railroad, was fully complied with by the company in every respect. The sum of $200,000 in the bonds of the State was paid to the Treasurer within the time limited by the first section of the act; the bond with security for $500,000, and the bond for $100,000, required by the second section of the act, were given and approved; the transfer was made by me as directed by the same section

of the law. The road was completed and cars were running over it to the Iowa State line within nine months after the passage of the act, and the West Branch was completed and trains of cars were passing over it to Kansas City within one-half the time limited by the law. Work on the bridge across the Missouri river at St. Charles has progressed and is being rapidly pushed. The main line of this road is now extended several miles into Iowa, and will very soon reach a connection with the Iowa system of roads at Ottumwa.

This great work of internal improvement has been thus early completed by the energy, enterprise and capital of citizens of the city of St. Louis. This road with its branches embraces three hundred and seventy-four and one-half miles of road in this State, and, with its connections, forms a system of roads leading from the far North and Northwest to our metropolis, and develops some of the best agricultural country of the State. The permanent benefits to result to the State from its completion are incalculable and will far outweigh the debt incurred on its account through the erroneous policy of lending the credit of the State to build railroads.

THE PACIFIC RAILROAD.

In compliance with the provisions of the fifth section of the act of March 31, 1868, the Pacific railroad company paid to the State Treasurer the sum of $350,000 in the bonds of the State within ninety days after the first day of April last, and also paid, within the period required by law, the additional sum of $4,650,000 in the bonds of the State, making in the aggregate $5,000,000. The receipts of the State Treasurer for said amounts being produced to me, I executed and delivered to the company a deed of release, as required by law, for all the claim, title and interest which the State had in and to the Pacific railroad, its property and appurtenances.

THE SOUTH PACIFIC RAILROAD.

It is with great gratification that I am able to state that the construction of this most important road is pro-

gressing with satisfactory rapidity. The grantees named in the second section of the act of 17th of March, 1868, providing for the disposal of the road and for its completion, with the exception of Andrew Pierce, Jr., Clinton B. Fisk, Wm. H. Coffin and Benj. Holliday, failed to comply with the conditions of the act.

These gentlemen, assisted by Hon. James Baker and Eli G. Paris of Southwest Missouri, represented the enterprise to capitalists in New York and Boston, and succeeded in associating with themselves men of capital and energy. The necessary deposit of $1,500,000 was not only made within the time limited by the law, but $1,700,000 was deposited in responsible banks in New York, Boston and St. Louis. All the requirements of the act were fully complied with, and the road was turned over to them on the 30th day of June last. Two thousand men are now employed in the construction department of the road, and provision has been made for the iron and equipments for the line to Lebanon.

I herewith transmit the report of Clinton B. Fisk, who, as my agent, operated the road for the State from June 21, 1867, up to the date of its transfer.

It is thought that the road will be completed to Lebanon early in the month of July next, and will progress from that point to the State line with greater rapidity of construction. This company has acquired the valuable franchises of the Atlantic and Pacific Railroad Company, the benefits of which can only accrue to it after the completion of the South Pacific railroad to Springfield. This consideration will, no doubt, call forth all the best energies of the company, and hasten the building of the South Pacific railroad to that point.

In the prospect for the realization of the hopes of the people of the rich agricultural and mineral districts of Southwest Missouri for a better means of communication with the great marts of trade, there is cause for congratulation to the Representatives of the people of the State.

Without repeating what I have said to your predecessors of the importance of this road for the development of a large extent of our territory embracing one of the richest portions of the State, and as the initial link in the line of communication which is to connect the eastern cities with the western seaports and the Gulf coast at our metropolis, by which it is to become the grand point of exchange between the East and the West, the North and the South, I earnestly commend the enterprise to your generous encouragement. The continuation of this road westwardly from the border of Missouri, under the charter granted to the Atlantic and Pacific Railroad Company at the first session of the Thirty-Ninth Congress, through the fertile Indian Territory—up the beautiful valley of the Canadian—will develop a country worthy and reimbursive of an expenditure of national treasure.

It points a way along the 35th parallel to San Francisco, via Albuquerque, free from the interference of snows in the winter. An agricultural district in the Indian Territory, Northern Texas and New Mexico unequalled in fertility and of almost boundless extent, susceptible of sustaining a population of millions of people, will be opened by it and a vast mineral district be made to yield its wealth. The Southern States will obtain a connection with the Pacific Coast and equality in benefits from national liberality. The railroad now in process of construction northward from Galveston will bring the trade of Southern Texas and all the Gulf coast to a point on this road near the western line of our State. The true interests of Missouri, of all the South and of the East, are to be promoted by the building of a road to the Pacific on this route. I earnestly recommend that you memorialize Congress to extend the same assistance by way of subsidy to the Atlantic and Pacific railroad that has been given to the Union Pacific railroad, and instruct our Senators and request our Representatives in Congress to vote for such measures as will attain that end.

MISSOURI VALLEY RAILROAD.

By the act of 17th of March, 1868, it was provided that the Missouri Valley Railroad Company might pay its indebtedness to the State of $768,000 in extending the road at the rate of $120,000 for each of ten miles of road thereafter to be built, five miles of which should be built in extension of each end of the road. The company paid the interest due on the debt in July last. Five miles of road have been built in the direction of Kansas City, and about two-thirds of the whole work of graduation has been done on that end of the line. It is thought that the road will be completed to a connection with the Cameron and Kansas City road and the West Branch of the North Missouri road within the next sixty days. The grading of five miles northward from Savannah is well-nigh done and has probably been delayed by the unusual severity of the winter season. The iron necessary for the track to Kansas City is now on the line and I am informed that the iron for the extension to the Iowa State line has been shipped for that destination and that the road will be finished in that direction as far as Maryville during the coming summer.

It is believed that the Bedford, Winterset and Des Moines railroad will be completed from the capital of Iowa to connect with this road as soon as it reaches the State line. The value of this road to our State is seen in the connections to be made by it with the roads coming from the North and with the Missouri and Iowa State Line railroad by which it will be connected with the Union Pacific road at Omaha. It also connects the Central Branch of the Union Pacific road with the more northern system of roads, and connects all these roads with those centering at Kansas City. The increase of the value of property and the influx of population resulting from its extension northward, will compensate the State for the liberal aid afforded in its construction.

THE IRON MOUNTAIN RAILROAD.

The sum of $664,300 of the balance due the State from this road was appropriated by the act of 17th of March, 1868, to the building of a railroad from Pilot Knob to the State line of Arkansas. The manner of applying the appropriation was provided for by an act approved March 23, 1868, entitled "An act to accept a grant of land made to the State of Missouri by the Congress of the United States, and to apply the same and certain funds due the State to the extension of a branch of the Iron Mountain railroad to the State line of Arkansas."

This act was duly accepted by the St. Louis and Iron Mountain Railroad Company as required by the ninth section thereof. Some surveys have been made, perhaps with a view to the location of the route of this road, but nothing more has been done.

The Iron Mountain Railroad Company has purchased and consolidated the Cairo and Fulton railroad with its road. This expenditure made in the work of the graduation, masonry and superstructure of the road from a point north of Iron Mountain in the direction of Belmont has been sufficient, I am satisfied, to entitle the company to the postponement of the payment of the $135,000 due for the present year on the principal of the debt due the State, as provided in the fifth section of the act of 19th February 1866, under which the road was originally sold, although the statement required by the latter clause of that section has not yet been filed. The interest amounting to $40,500 is due and payable into the State Treasury during the present month.

The gauge of the road has been changed to five feet. The progress made in construction justifies the belief that it will be completed in the coming spring.

At the time the President of the Board of Commissioners for the sale of this road paid into the treasury the amount of receipts in his hands, there was a demand for

one hundred and thirty-four dollars and twenty-three cents in favor of Wm. White & Co., for material furnished during the time that the road was run by the Commissioners, which remained unpaid, and to pay which I recommend that an appropriation be made.

The importance of a road running from Pilot Knob to the State line in the direction of Little Rock, Arkansas, will no doubt commend itself to your consideration. It would traverse about eighty miles of our State, opening up a region of inexhaustible timber and mineral wealth, and developing some good agricultural country. The road would cost perhaps less than two millions of dollars. It would seem that the sum $664,300, appropriated by the act referred to and the lands appropriated by the act of Congress of July 4, 1866, ought to form such a basis for the enterprise as to insure its early success.

THE HANNIBAL AND ST. JOSEPH RAILROAD COMPANY

promptly meets the interest on the bonds loaned to aid its construction. It has paid the State tax levied by law on the road and property of the company.

Other railroad enterprises have progressed during the past year, and have added their influence to the growth of our population and wealth.

THE ST. JOSEPH AND COUNCIL BLUFFS RAILROAD

has been completed. This road passes for eighty miles through one of the most fertile portions of our State.

THE BOONVILLE EXTENSION OF THE OSAGE VALLEY AND SOUTHERN KANSAS RAILROAD

has been built from Boonville to Tipton, a distance of twenty-five miles, at a cost of $600,000. The people of the county of Cooper and of the city of Boonville, with a commendable public spirit, provided this money. This road will soon be connected at Boonville with the roads on the north side of the river.

THE MISSOURI AND MISSISSIPPI RAILROAD

which is projected from the Mississippi to the Missouri river, via Macon, has been graded a distance of thirty miles, and the company is laboring with energy to carry forward the enterprise.

In addition to the road projected from Chillicothe to Omaha, there is also a company organized for building a road from Macon to Omaha. Active measures for initiating the last mentioned enterprise are being taken. The importance of this road is seen in the fact that it passes through a rich agricultural country, and, in connection with the North Missouri railroad, would form almost an air line road from St. Louis to Omaha. The work of grading is finished on the Chillicothe and Brunswick road, and the superstructure is being energetically carried forward.

THE LOUISIANA AND MISSOURI RIVER RAILROAD

is in process of construction from Louisiana to the North Missouri railroad, and active preparations are going on for an early commencement of work on a branch road via Fulton to Jefferson City.

THE TREASURY DEPARTMENT.

I have for a considerable time, during the past two years, employed guards at the State Treasury. The condition of the vault made it prudent to do so. The funds of the State in excess of $100,000 should be kept in the banks in St. Louis. The official bond of the Treasurer is in the sum of $250,000. He has in his hands at least $1,000,000 in currency on two different occasions in each year, in addition to nearly $2,000,000 of United States bonds and other securities all the time. He cannot be expected to keep such large sums in his vault, and in the exercise of a proper care for his responsibility, will of course deposit it in the St. Louis banks. It is proper that these deposits

should be made by authority of law and that the State should have, through the Governor, the right of designating the depository of its money. I recommend that an act be passed embracing these suggestions.

GOVERNOR'S MANSION.

The house provided by the State as a residence for the Governor is dilapidated in every part and cannot longer be made comfortable. The erection of a new building should be commenced as early as practicable.

An appropriation of $20,000 was made for this purpose by an act passed 27th March, 1861. The financial condition of the State was such at the time I came into office, that I was unwilling to use the appropriation, and it was transferred to the Interest Fund.

The General Assembly may now, by a small appropriation and with the use of convict labor, provide the Governor with a dwelling comfortable and suited to the dignity of his position, without doing injustice to the creditors of the State or creating any additional indebtedness or taxation.

The eligible site adjoining the old building on the north, which I have terraced and improved somewhat, should be adorned with a tasteful building such as becomes the dignity of the State and such as the people will regard with pride. The picturesque landscape seen from that position appeals to the sense of the beautiful for a building that shall be in harmony with the new and better days of the commonwealth.

I also recommend that a special appropriation be made of a sum sufficient to furnish the Executive Office in a becoming manner.

SALARIES.

Too much importance cannot be attached to the Judiciary. The lives, liberty and property of the people are secured by the learned as well as honest administration of the laws. It cannot be expected that the best talent

in the profession of law can be brought to the duties of the bench unless properly compensated. The compensation of judges of the Supreme and Circuit Courts is greatly inadequate to the labor and exercise of professional learning required of them. I earnestly recommend to your consideration the justice and propriety of increasing their salaries. If, in your opinion, a regard for the best interests of the people of the State will not permit a larger aggregate amount being paid for this purpose, then the number of Circuit Judges should be so lessened as to allow proper and reasonable salaries without increasing the aggregate now paid. This may be done with great propriety, for while several of the circuits are too large, the greater number of them may be extended.

The aggregate expenses of the government may be decreased even while the salaries of all the judges are increased, as recommended, by reducing expenditures in other departments. One of the retrenchments which can be made is in the cost of the public printing. Aside from any consideration of the subject of the increase of these salaries I recommend that the office of Public Printer be abolished. There has been paid to this officer since the first of January, 1865, the sum of about three hundred thousand dollars. It is safe to assume that the portion of this sum which was profit has exceeded the combined salaries of the judges of the Supreme Court for the same time and perhaps equalled the aggregate of the salaries of all the Circuit Judges in the State. The printing and binding for the State should be done by contract or by the purchase of a press, machinery and materials for a printing establishment and the appointment or election of a competent superintendent with a reasonable stated salary. There seems to me no propriety in creating or continuing an office for the performance of such mere mechanical labor; and the payment to the officer of a sum greater than that for which others of his trade could be had to perform the same labor, is a waste of the people's money.

The business of the office of State Claim Agent has been so faithfully prosecuted by the present incumbent that all now remaining to be done after the first of July next may be added to the duties of the Adjutant General and a saving of $4,000 per annum thus be made. I herewith transmit the report of Colonel Sigel, the State Military Claim Agent.

PUBLIC CHARITIES.

The completion, by the county of St. Louis, of an Insane Asylum, will no doubt, at an early day, reduce the number of patients in the State Lunatic Asylum, when the provision made for this unfortunate class will be ample. The Institution for the Blind is in a prosperous condition, and seems to be all that is required for the wants of poor blind persons.

The Deaf and Dumb Asylum is full. There are many of this class whose condition appeals to our humanity for an enlargement of the buildings and an increase, in every respect, of the capacity of this institution.

CLERKS OF COURTS AND COUNTY OFFICERS.

The statutes in reference to clerks of courts should be so amended as to give to the judge or justices of courts of record the power to fill by appointment any vacancy that may occur by death, resignation or otherwise, in the office of clerk of their respective courts, until a special election can be held. The power to order such special election should likewise be conferred on the courts.

I also recommend that provision be made for the issuing of commissions to persons elected or appointed to all county offices, except justices of the county court and sheriffs, by the presiding justice of the county court, attested by the clerk, with the seal of the court affixed.

In this connection I call your attention to the law in relation to contested elections for county offices, and recommend that it be so amended as to require special terms of courts to be held for hearing such cases, whenever the

regular term does not occur within thirty days after the election.

The great number of special acts creating, changing and abolishing inferior tribunals at every session of the Legislature has produced such confusion that it is almost impossible to determine the true condition of many counties in respect to their probate and county courts. The system of county courts provided by our General Statutes is a good one and should be made to apply to every county in the State except St. Louis. A general system of probate courts should also be established.

The necessity for securing uniformity in these courts and for removing the uncertainties and complications which have grown out of the vast amount of special legislation on the subject, will commend itself to your consideration on an examination of the special acts referring to county and probate courts. Many of these acts were passed twenty years ago, and have been materially amended and altered from time to time, making it necessary to look through the vast amount of special legislation since that time, in order to learn the manner in which the courts are constituted. In one instance an act was passed providing that the county courts of twenty-seven counties should consist of two justices and the judge of probate, who should be presiding justice; a separate act created probate courts in the same twenty-seven counties. Subsequently one of these acts has been repealed as to some of the counties, while the other act remains in force as to the same counties, thus producing conflicts of jurisdiction, or uncertainties and confusion.

INSURANCE LAWS.

The attention of your predecessors was directed by me at their last session to the insufficiency of the laws for the protection of the people from imposition and losses through fraudulent associations pretending to provide indemnity against losses of property by casualties on land and water. These irresponsible companies continue to

multiply in number. I most earnestly recommend that a law be passed requiring companies that may do business in this State, to make an exhibit of their ability to meet any losses they may sustain, and providing for the creation of an Insurance Department, and the appointment of a Commissioner, with a salary to be paid by the insurance companies, and with full power to enforce such provisions of law as may be enacted for the security of the people against imposition by such companies. These provisions may be so made as not to impair the privileges of either mutual, marine and fire, or life insurance companies and associations, organized in good faith under existing laws, but to prevent the abuse of those privileges. In restricting the business of stock insurance companies to the sound basis of a paid up capital, care should be taken to preserve all the freedom to capital demanded by the wise policy of encouraging the investment of Eastern wealth in the enterprises presented by our varied resources.

MILITIA.

Small detachments of the militia have been on duty in Buchanan and Platte counties. A portion of them I have paid out of the fund for enforcement of civil law. The Adjutant General will report to you the amount that yet remains due on account of their services. An appropriation should be made to pay the same.

The act passed at the last session of the General Assembly is framed on the true theory for securing an efficient military organization, but is defective in failing to offer any inducement for keeping up organized and uniformed bodies of militia. The law should be so amended as to exempt from jury duty and poll tax a proper number of men in each county who may have a membership in a volunteer militia company, and who attend stated meetings, drills and parades. After serving a designated period in such companies they should be entitled to exemption from further military duty.

PENITENTIARY.

The number of convicts confined in the Penitentiary is seven hundred and thirty-five. The space enclosed within the walls, the buildings for shops, as well as the cell room, are all so greatly insufficient for the proper working and economical management of this great number of men, as to require the vigorous prosecution of the work of extending the walls and the early completion of the cell building, now in process of construction.

The existing law constitutes the State Auditor, State Treasurer and Attorney-General ex-officio Inspectors of the Penitentiary, with the duty of supervising its management, and making a report of its condition to the Legislature at each biennial session. They are required to visit the prison at least once in each week, and, in full for their services, receive $100 each per annum. No penalty is attached to a failure to perform the duties of Inspectors. The official term of the Auditor and Treasurer expires at the date the report is due, and their other duties demand the whole of their time and attention. This additional burden should not be imposed upon them. I recommend that the statute be so amended as to make the Attorney-General sole ex-officio Inspector, with the compensation now allowed to the Board of Inspectors, to be paid quarterly, upon the certificate of the Governor to the State Auditor that the duties of Inspector have been performed.

Under the Provisions of the act of the 16th of December, 1865, relating to convicts, there have been pardoned two hundred and twenty-two convicts who had served three-fourths of their respective sentences and were recommended for good conduct as prisoners. The workings of this law have fully realized the expectations of its humane author, both in aiding the maintenance of prison discipline and in reformatory influence. The hope of reward for good behavior has proven a more effectual disciplinary measure than fear of corporal punishment.

There have been one hundred and ninety-seven other pardons, reprieves and commutations granted since my report to the General Assembly two years ago.

I herewith transmit, as required by the Constitution, a statement of each pardon and the reasons for granting the same.

In this connection I desire to call your attention to the provisions of the sixth section of the fifth article of the Constitution, which confers on the Legislature the power to regulate by law the manner of applying for pardons. I recommend the passage of an act requiring the circuit attorney to make and file in the court as part of the record, a statement of the material facts of each case of conviction for felony, signed by the judge at the time the sentence is pronounced, and that every application for pardon shall be accompanied by a certified copy of such statement, together with the affidavits of at least two witnesses certified to be credible by the officer by whom they were sworn, or the certificate of a civil officer of the county, stating the general character of the convict before and at the time of his arrest.

LANDS ERRONEOUSLY CERTIFIED TO THE STATE.

Some errors have been made in the General Land Office at Washington in certifying to the State land for railroads which did not inure to the State under the act of Congress of June 10th, 1852, or under any other act. The law authorizing the release of lands erroneously certified to the State, does not embrace lands certified for the purpose of railroads. I recommend that authority be conferred by law upon the Governor to relinquish such lands to the United States.

CONCLUSION.

The assertion of true principles in the policy of the Government for the past four years, by which a condition of great and growing prosperity has been attained, will mark the period for the origin of the causes whence results, distinctive of good to the State, shall flow on forever.

We have to regret that industrial politics has not predominated to a greater extent. We have failed to attain for ourselves the high distinction for that large freedom and broad charity which would be evidenced by universal equality of political privileges. The history of the time will take with it to the future the proper explanation of this failure, in the faithful record of the unparalleled stubbornness, malignancy and vindictiveness which have characterized the persistent opposition to the restoration of a rule of law at every step of the progress of the government.

It will not be surprising to those who read our history, that men whose acts and words were continually suggestive of the necessity of measures for the safety of the State against them, restrained by their own acts the magnanimous disposition to enlarge their privileges.

With a proud consciousness of having contributed to bring the State from a condition of civil war to the supreme rule of lawful authority; of having aided in the transformation of the public finances and credit from an almost hopeless embarrassment to an unquestioned standing, by the reduction of the debt to a sum which may be carried with its weight scarcely preceptible; and of having aided to put into active operation some of the measures which have built up our internal improvements and advanced the interests of education and of industrial pursuits and promoted material prosperity, I approach the occasion when I am permitted to resign back into the hands from which I received it, the high trust committed to my charge four years ago.

This I do with bright anticipations for the future of my native State, founded on a confidence in the patriotism and wisdom of the citizens who have been chosen for the performance of the duties of the various departments of the Government for the ensuing two years.

Upon the virtue and intelligence of the people I rest my hopes of the attainment of a still higher and better destiny; and above all, my hope for our future as a people is radiant in the faith which has been strengthened and

enlarged amid the storms of State, that liberty and justice will be upheld by the protecting care of God.

For all the kindness, courtesy and aid received by me from the State officers and their assistants, I am truly grateful.

To all the true men of Missouri who have upheld the civil authority and aided to establish the rule of loyalty, law and order, I delight to do that honor which the coming millions who are to be blessed by their faithfulness, will gratefully bestow upon them.

THO. C. FLETCHER.

Executive Office, January 8, 1869.

VETO MESSAGES

TO THE SENATE

FEBRUARY 8, 1865

From the Journal of the Senate, p. 281

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 8, 1865.

To the President of the Senate:

Sir—I respectfully return to the Senate an act entitled "an act for the relief of James H. Bethume."

I have withheld from the said bill my approval and signature to the said bill for the following reason:

It authorizes and requires acts to be done by an officer whose office is not created by the act, and does not exist by the constitution and laws of the State of Missouri. The words "Secretary of *the Treasury*," though I presume a mere clerical error, is such an error as would prevent any legal effect being given to the act, and defeat the manifest objects of the General Assembly in passing the same.

Very respectfully,

THOS. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1865

From the Journal of the House of Representatives, pp. 442-443

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 11, 1865.

To the Speaker of the House of Representatives:

I herewith return to the General Assembly an act entitled "an act authorizing the clerk and deputy clerks of the circuit and county courts of Camden county to practice

law," and respectfully submit the following objections to its becoming a law:

1st. It purports to amend another act but is wholly wanting in any reference to the act to be so amended.

2d. The fifty-eighth section of the act entitled "an act to establish courts of record and prescribe their powers and duties," approved December 12, 1855, contains the only restriction of the right of a clerk or deputy clerk of a court of record to practice law. That section does not prohibit clerks and their deputies from acting as counselor or attorney in any court of which he is not clerk or deputy clerk.

The only apparent object of the bill herewith returned is so clearly expressed in the statute of a general nature, that I regard it as an instance of special legislation wholly useless.

Very respectfully,
THOS. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 1865

From the Journal of the House of Representatives, pp. 500-501

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 15, 1865.

To the Speaker of the House of Representatives:

Sir—Herewith I respectfully return House bill entitled "an act to incorporate the DeSoto Railroad Company," and submit the following objections to said bill, with its present provisions, becoming a law:

The fourth section provides "that said DeSoto Railroad Company shall have the right to operate a railroad over the lines of such other railroad companies connecting with the lines of the DeSoto Railroad Company as they may see fit, with the consent of such other railroad companies, and they shall have the right to purchase and hold the whole or any portion of the track of such other railroad

companies within the limits of the city of St. Louis, as they may see proper."

Section eleven provides that "within the limits of the city of St. Louis the rates of fare shall be established on a basis not exceeding four cents per mile."

The effect of the act would be to enable the company incorporated by it to operate all the street railroads in the city of St. Louis, and to charge a much greater fare than such roads are permitted to charge; or to permit all the street railroads in the city of St. Louis to be nominally merged under this act, and thereby increase their rates of fare. It is but just that the company incorporated by this act should be required to carry the passengers over the lines of other roads at the same rates which such other roads are permitted to charge.

Very respectfully,

THOMAS C. FLETCHER.

TO THE SENATE

FEBRUARY 17, 1865

From the Journal of the Senate, pp. 392-393

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 17, 1865.

To the Honorable President of the Senate:

I herewith return Senate bill entitled "an act providing for the instruction of colored children," and respectfully submit the following objections to it becoming a law:

Section one provides that "the tenth section of article II, of chapter CXLIII, being an act to provide for the organization, support and government of common schools in the State of Missouri, approved December 12, 1855, shall be so constructed as to include all colored children of the proper age.

This amendment, if made to the tenth section of article IV of said act, would have the effect to require trustees of school districts to include colored children in their report

so as to obtain for them their portion of school fund, but when made to tenth section of article II, effects no purpose whatever.

Section two is as follows: "Wherein section four of article V of the aforementioned chapter the word 'white' occurs, it shall be stricken out, and it shall further be enacted, that the trustees of all school districts shall make provision for the instruction of colored children."

While I do not fail to gather the meaning of this section, and heartily approve the object in view, I beg to suggest that the use of the present tense in expressing the act of the Legislature always renders more clear and easily understood the intentions of the law.

I hope this act will be so amended, at this session, as to secure with certainty the manifest objects intended by it.

I also return herewith an act entitled "an act amending an act entitled an act to provide for the organization, support and government of common schools inthe State of Missouri," and respectfully submit the following objections to the said bill becoming a law:

Section 1 provides that so much of the third section of article IV of chapter CXVIII, being "an act to provide for the organization, support and government of common schools in the State of Missouri," approved December 12, 1855, as reads, "to raise money by a majority of the qualified voters comprising the school district," be hereby repealed, and it be enacted in lieu thereof: "To raise money by a majority of those attending district meetings, being qualified voters."

The words quoted, and intended to be repealed, are in the third subdivision of the seventh section of the fourth article of chapter CXLII, and not in the third section of the fourth article of chapter CXVII. I deem the objects intended to be reached by this act so desirable that I hope the necessary amendment may be made, so as to effect it during the present session.

Very respectfully,

THOS. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 20, 1865

From the Journal of the House of Representatives, pp. 616-617

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 20, 1865.

To the Speaker of the House of Representatives:

Sir—I herewith return a bill originating in the House of Representatives, entitled

An act amendatory of an act entitled an act authorizing an officer of this State to receive certain records and papers from the United States concerning land titles, approved February 15, 1864,

And respectfully submit the following objections to the same:

1st. The act of Congress approved 12th June, 1840, provided, for reasons so obvious that they need not be here stated, that upon the closing, under that act, of the offices of Surveyors General, the records of the offices of Surveyors General *should be delivered to the States* in which they were respectively located. Congress, by act approved January 22, 1853, provided that such records should not be delivered to the respective States, as contemplated in the act of 12th June, 1840, until the State should appoint a person to receive them.

The General Assembly of the State of Missouri, by an act entitled "an act authorizing the Governor to receive the records and papers appertaining to land titles in this State from the authorities of the United States," approved March 15, 1861, authorized the Governor to receive said records and place them in the office of the Register of Lands at the seat of government.

This very proper and judicious act was, it appears, never carried into effect, but was repealed by the General Assembly, by an act entitled "an act authorizing *an officer of this State* to receive certain records and papers from the

United States concerning land titles," approved February 15, 1864, which I take it for granted was read and passed *by its title.* It authorizes the Recorder of Land Titles of the United States, and *requires him* to receive from the United States the records, etc., pertaining to the office of Surveyor General.

The effect of the last mentioned act is to leave the records and papers of the office of Surveyor General in the possession of the United States represented by one of the officers of the United States. They are not delivered to the State, as contemplated by the act of Congress above referred to.

The act herewith returned makes provision for paying the clerks and providing fuel, etc., for an officer of the United States. Whenever these records are delivered to the State, it will be time enough to provide for their safe keeping. Instead of being an expense to the State of two thousand dollars per annum, as contemplated by this bill, any *State officer* will, I am very confident, be glad to receive them, if allowed the same fees for furnishing copies of them as provided by this bill.

I recommend that the act approved February 15, 1864, above referred to, be repealed, that the act approved March 15, 1861, above mentioned, be revived, and that the Governor be authorized to deliver the records and papers of the Surveyor General's office to the Register of Lands of the State or to the clerk of the Supreme Court at St. Louis, that copies certified by such officer be made evidence, and that reasonable fees be allowed for such copies.

Very respectfully,

THOMAS C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 1865

From the Journal of the House of Representatives, p. 243

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, December 16, 1865.

To the Speaker of the House of Representatives:

Sir—I herewith respectfully return to the General Assembly House bill entitled "an act to repeal an act entitled an act to extend the jurisdiction of the courts of New Madrid county over Pemiscot county, approved January 26, 1864, and an act amendatory of same act, approved February 18, 1865," and submit the following objections to the same becoming a law:

The second section of the act herewith returned is as follows:

That the act of the General Assembly of this State approved February 19, 1851, entitled "an act to organize the county of Pemiscot," be and is hereby revived.

The 25th section of the 4th article of the Constitution, in express terms, prohibits the revival of an act by mere reference to the title thereof.

The title of the act approved February 18, 1865, which is repealed by the first section of the act herewith returned, is not stated in full. I am of opinion that a law repealing a former law should distinctly state the title of the law intended to be repealed as well as the date of its approval.

Respectfully,

THOS. C. FLETCHER.

TO THE SENATE

MARCH 1, 1866

From the Journal of the Senate, pp. 695-696

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 1, 1866.

To the President of the Senate:

I herewith return to the Senate a bill entitled "an act to establish a criminal court in the City of Kansas, and providing for the erection of a jail," which originated in the Senate, and respectfully submit the following objections to the same becoming a law:

The 25th section of said act requires the county court of Jackson county to erect a jail in the City of Kansas. The 33d section provides for the issue of county warrants for the payment of the cost of erection of such jail, having "*gone* and two years to run, (which, I presume, is intended for "one and two years to run," and that "the receipts into the county treasury from fines and penalties recovered in said criminal court shall be appropriated to the payment of said warrants." The 34th section requires a special tax to be levied on the entire county for payment of said warrants, in case the fines collected are insufficient for that purpose; and the 23d section requires the entire expenses of the court to be paid by the county of Jackson.

Aside from the question of the propriety of the unusual provisions by which a county is required to erect and maintain a jail in addition to the one required by general statute, and of the proposition to tax property outside the limits of the jurisdiction of the court, either for building a jail or paying a grand jury and other expenses of the court, the diversion of the fund arising from fines to the payment of county warrants issued for erecting such jail is clearly in conflict with the fifth section of the ninth article of the

Constitution of the State, which provides that all fines, penalties and forfeitures shall be securely invested and sacredly preserved as a public school fund.

Respectfully,

THO. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

MARCH 7, 1867

From the Journal of the House of Representatives, pp. 563-564

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 7, 1867.

To the Speaker of the House of Representatives:

Sir—I herewith respectfully return to the House of Representatives House bill entitled an act to repeal an act entitled an act to amend an act entitled an act to incorporate the town of Washington. My objections to this bill are, that it would in effect vacate the streets and alleys which have been opened within the new limits of the town of Washington, as set forth in the act which this bill proposes to repeal.

The 27th section of the 4th article of the State Constitution prohibits the Legislature from establishing, altering or vacating any street, avenue or alley in any city or town.

I herewith transmit a copy of certain proceedings had by the board of trustees of said town, certified by their clerk under the corporate seal of said town, protesting against the passage of this bill, and stating that vested rights have accrued under the act which this bill repeals.

I also transmit herewith a remonstrance, signed by a number of the inhabitants of the town of Washington, against the repeal of the act of the 12th of March, 1866.

I deem this a fitting occasion to call your attention to the 21st section of chapter 62, General Statutes of Missouri, which provides that no charter of any corporation

granted by the Legislature of this State shall be altered, suspended or repealed, unless proof be first made to the satisfaction of the Legislature that notice of such proposed alteration, suspension or repeal has been given to the president and secretary of such corporation for at least a month before the time at which such alteration, suspension or repeal will be proposed.

I am not informed whether this law was complied with in the case now under consideration; if it was not, the bill herewith returned would be without any effect whatever, unless, perhaps to produce useless litigation.

THO. C. FLETCHER.

SPECIAL MESSAGES

TO THE SENATE

JANUARY 9, 1865

From the Journal of Executive Business in Senate Journal, p. 466

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 9, 1865.

To the President of the Senate:

I respectfully nominate for appointment, and ask the consent of the Senate to commission, the following named officers, to wit:

Samuel P. Simpson, to be Adjutant General of the State of Missouri.

George Schuster, to be Aid-de-Camp, with rank of Colonel.

M. Ellwood Miller, to be Aid-de-Camp, with rank of Colonel.

William J. Dougherty, to be Additional Aid, with rank of Lieutenant Colonel, and Deputy Paymaster General.

Theodore S. Case, to be Quartermaster General of Missouri.

Robert P. Richardson, to be Surgeon General of Missouri.

Campbell W. Waite, to be Aid-de-Camp, with rank of Lieutenant Colonel, Military Secretary.

Franklin Cooley, to be Brigadier General of E. M. M.

Hozea G. Mullings, to be Brigadier General of E. M. M.

Very respectfully,

THOS. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

JANUARY 11, 1865

From the Journal of the Senate, p. 75

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI, January 11, 1865.

To the President of the Senate and Speaker of the House of Representatives:

I have taken possession of the Platte County Railroad from Weston to a point opposite Atchison, and from said last named point to St. Joseph.

I respectfully ask the General Assembly to make such regulations for the operation of said railroad, or such a disposition of it and its appurtenances as will be most advantageous to the interests of the State.

A proposition has been submitted to me by the Weston and Atchison Railroad Company, and the Atchison and St. Joseph Railroad Company, to purchase from the State that part of the Platte County Railroad located south of St. Joseph.

Possessing no authority to treat for the sale of the road, I respectfully refer the proposition to the General Assembly.

THOS. C. FLETCHER.

TO THE SENATE

JANUARY 14, 1865

From the Journal of the Senate, p. 103

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 14, 1865.

To the President of the Senate:

I respectfully transmit herewith the report of Brigadier General John B. Gray, Adjutant General of the State of Missouri, for the information of the General Assembly.

The report will be found unusually full, and so admirably arranged as to afford easy reference to all its parts.

It was not completed in time to accompany the message of my predecessor, and in view of the importance of the information it contains, I have thought it proper to communicate it to the General Assembly at this time.

I am, very respectfully,

THOS. C. FLETCHER.

TO THE SENATE

JANUARY 20, 1865

From the Journal of Executive Business in Senate Journal, pp. 467-468

EXECUTIVE MANSION, CITY OF JEFFERSON, January 20, 1865.

To the President of the Senate:

I have the honor to nominate and ask the Senate to commission the following named officers:

John S. Cavender, Director in Bank of State of Missouri.

Alexander Crozier, Director in Bank of State of Missouri.

John Wolff, Director in Bank of State of Missouri.

John H. Lightner, Director in Bank of State of Missouri.

William A. Keyser, Bank Commissioner.

Ellis G. Evans, Assistant Bank Commissioner.

Madison Miller, Fund Commissioner for the Pacific Railroad.

Very respectfully,

THOS. C. FLETCHER.

TO THE SENATE

JANUARY 27, 1865

From the Journal of Executive Business in Senate Journal, pp. 468-469

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 27, 1865.

To the President of the Senate:

I respectfully nominate and ask the consent of the Senate to commission Ferdinand Meyer and E. H. E. Jameson Police Commissioners for the city of St. Louis, and John F. Hume Fund Commissioner for the North Missouri Railroad.

Very respectfully,

THOS. C. FLETCHER.

TO THE SENATE

JANUARY 28, 1865

From the Journal of Executive Business in Senate Journal, pp. 469-470

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON
January 28, 1865.

To the President of the Senate:

I respectfully nominate and ask the consent of the Senate to commission as Police Commissioners for the city of St. Louis, N. H. Clark and Bernard Laibold.

Very respectfully,

THOS. C. FLETCHER.

TO THE SENATE

FEBRUARY 10, 1865

From the Journal of Executive Business in Senate Journal, p. 470

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
February 10, 1865.

To the President of the Senate:

I respectfully nominate and ask the consent of the Senate to appoint David C. Coleman, William R. Penick, Amos W. Maupin, Brigadier Generals Missouri Militia.

Very respectfully,

THOS. C. FLETCHER.

TO THE SENATE

FEBRUARY 13, 1865

From the Journal of Executive Business in Senate Journal, p. 471

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
February 13, 1865.

To the President of the Senate:

I respectfully nominate to the Senate, and ask consent to appointment, of William H. Maurice as Director of the Bank of the State of Missouri, to fill a vacancy occasioned by the resignation of John H. Lightner.

Very respectfully,

THOS. C. FLETCHER.

TO THE SENATE

FEBRUARY 16, 1865

From the Journal of Executive Business in Senate Journal, p. 472

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 16, 1865.

To the President of the Senate:

I hereby appoint, and respectfully ask the consent of the Senate to commission, the following officers of the Missouri Militia:

For Brigadier Generals: Isaac V. Pratt, John F. Benjamin, Daniel M. Draper.

Very respectfully,

THOMAS C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 1865

From the Journal of the House of Representatives, p. 59

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, November 13, 1865.

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith a communication from Hon. John C. McBride, of the county of Perry, and a member of the House of Representatives.

I am, very respectfully, your obedient servant,

THOS. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 1865

From the Journal of the Senate, pp. 51-52

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, November 15, 1865.

Senators and Representatives:

I have the honor herewith to transmit a communication signed by Robert P. Faulkner, John D. Brutsche and E. G. Evans, a committee in behalf of the citizens of Rolla.

From this, and other reliable information, I am satisfied that bands of desperadoes are infesting the counties south and west of Rolla, all of whom are rebel outlaws who have never surrendered to the authorities of the United States or of this State, and are now banded together under the lead of James Picket, Joseph F. Gifford, Duke Summers, Dick Watson, Gibson Martin, Josiah Westlake, Thomas S. Yates, Peter Sanders, Ishmael Copeland, Joseph Apsley, Dick Kitchen,———Keely, Peter Smith, Anthony Wright, Archie Allen, F. M. Chambers, John S. King, Wm. S. Ball, Riley Huddleston, Marion Huddleston, Joe Shelton, Sam West, Jesse Huddleston, Josiah Boze and———Sypes, for purposes of robbery and murder.

The civil authorities in the sparsely settled counties on the southern border of the State are not able to subdue this organized banditti.

I respectfully ask the General Assembly to authorize me to offer suitable rewards for the leaders of the bands referred to, and to make an appropriation for that purpose, and likewise to make an appropriation subject to my order as Commander-in-Chief of the militia of the State, which will enable me to put in good repair the arms of the State, and subsist and pay such militia force as it may be necessary to call into active service from time to time, for the protec-

tion of the people of the border counties, and the extermination of robbers and outlaws.

I avail myself of this occasion, to call the attention of the General Assembly to the fact that the State Treasurer reports to me that he has received from the United States, through the efforts of Colonel Charles E. Moss, Swamp Land Agent, the sum of five thousand two hundred and twenty-three dollars and sixty-seven cents, on account of the Road and Canal Fund. I respectfully recommend that this sum be credited to the State Interest Fund, the amount being so small that it will make very unimportant and useless dividends to the counties.

Very respectfully,

THOMAS C. FLETCHER.

TO THE SENATE

NOVEMBER 20, 1865

From the Journal of the Senate, p. 119

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, November 20, 1865.

To the President of the Senate:

Sir—I transmit herewith a report of the Bank Commissioner, containing a statement of the amount of currency of banks of the State destroyed by him in pursuance of law, and other information in reference to the banks now in operation under the laws of the State.

The suggestion of the Bank Commissioner as to the propriety of the discontinuance of the office of Bank Commissioner, I recommend to the consideration of the General Assembly. The records of that office should be preserved in the office of the Secretary of State. So far as the duties of bank commissioner are deemed necessary safeguards for the people, in connection with the few banks yet doing

business under their charter, they can be performed by one of the State officers, with a saving of all expenses, both to the banks and to the State.

Respectfully,

THOS. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 1865

From the Journal of the House of Representatives, p. 143

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, November 30, 1865.

To the Speaker of the House of Representatives:

Sir—For the information of the General Assembly, I herewith transmit a report of the Paymaster General, containing a statement of the amount disbursed by the pay department in Union Military Bonds, of the issue of 1865, in paying the Enrolled Missouri Militia from the 15th of May, 1865, to the 25th of November instant, together with an estimate of the amount still remaining unpaid, and other information.

Very respectfully,

THOS. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 1865

From the Journal of the House of Representatives, pp. 164-165

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, December 6, 1865.

To the Speaker of the House of Representatives:

Sir—In pursuance of a resolution adopted by the House of Representatives on the 27th day of November, 1865, which has this day been officially communicated to

me, I have to inform the House of Representatives that the following named officers are now on duty under the ordinance of the State Convention entitled, "an ordinance for the organization and government of the Missouri militia," adopted April 8, 1865, to wit:

Colonel Samuel P. Simpson, Adjutant General; rank and pay of colonel of cavalry.

Colonel Theodore S. Case, Quartermaster General; rank and pay of colonel of cavalry.

Colonel William J. Dougherty, Commissary General, with rank and pay of colonel of cavalry; detailed to duty as Paymaster General.

Colonel Fred. Schuyler, Acting Assistant Adjutant General; a captain in the 13th cavalry volunteers, and paid as captain by the United States.

Major C. W. Waite, Aid-de-Camp, detailed to duty as Military Secretary, rank and pay of major of infantry.

Major R. Enslin, Assistant Quartermaster General and Ordnance Officer; rank and pay of major of infantry.

Captain Gustavus Cohrs, Assistant Quartermaster; rank and pay of captain of infantry.

Major A. S. Vogdes, Major G. W. Hood, Major Charles A. Buck, assigned to duty as Assistant Paymasters, with rank and pay of majors of infantry.

Major E. G. Evans, Aid-de-Camp, assigned to duty as Assistant Paymaster, with rank and pay of major of infantry.

The necessity for keeping the Adjutant General on duty is that the records pertaining to the volunteer and militia forces of the State engaged in the defense of the Union in the late rebellion may be perfected and preserved, and that the returns of the troops from this State now in service may be properly made and preserved, and that the enrollment of the militia of the State may be completed.

The Quartermaster General is kept in service to receive and examine the property returns of officers who have been in the military service of the State, and to collect and take care of the property of the State for military purposes, and

for settling and adjusting claims against the State under the several acts of the Legislature for settling and paying said claims.

The Paymaster General is kept in service to complete the payments of the militia, so far as the appropriations for that purpose will extend, and to make up and forward his proper reports.

The four assistant paymasters are kept in service until they complete their accounts and reports of the payments they have made to the militia.

The Acting Assistant Adjutant General is kept on duty to assist the Adjutant General in the duties of his office. His services are necessary to that department.

The Military Secretary is kept on duty to aid the Commander-in-Chief in his necessary correspondence and clerical labor.

Major Enslin, the Assistant Quartermaster General, is kept on duty to collect the arms and equipments of the State (many of which are yet uncollected) and to examine the accounts of officers for ordnance and ordnance stores for which they are accountable.

Captain Cohrs is yet engaged in collecting and taking care of clothing, camp and garrison equipage, and other property, and has been superintending the construction of a State powder magazine, which is now about completed and ready to receive the powder and fixed ammunition belonging to the State.

The number of officers on duty in the military department has been reduced as rapidly as was consistent with the true interests of the State.

Very respectfully,

THOS. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 1865

From the Journal of the House of Representatives, p. 210

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, December 12, 1865.

To the Speaker of the House of Representatives:

I herewith transmit a communication addressed to me by Isador Bush, a citizen of this State, on the subject of the State indebtedness, directing attention to a system of progressive payments, which I commend to the consideration of the General Assembly as containing suggestions pertinent to the matter contained in concurrent resolutions entitled "State credit," providing for the appointment of joint committee of the two houses of the General Assembly, approved February 15, 1865.

Very respectfully,

THOS. C. FLETCHER.

TO THE SENATE

DECEMBER 19, 1865

From the Journal of Executive Business in Senate Journal, p. 757

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, December 19, 1865.

To the President of the Senate:

Sir—In pursuance of the 15th section of the VI article of the Constitution, I hereby nominate and ask the consent of the Senate to appoint Samuel Reber and Charles B. Lord Judges of the Circuit Court of the county of St. Louis.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

JANUARY 10, 1866

From the Journal of the Senate, p. 231

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 10, 1866.

To the President of the Senate:

Sir—I hereby transmit to the General Assembly the report of Quartermaster General E. Anson More from December 31st, 1863, to March 1st, 1865.

The report is very full, and contains much matter of general interest as well as very valuable evidences, in tabular form, of the expenditures of the State in the Quartermaster, commissaries and ordnance departments.

Very respectfully,

THO. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 12, 1866

From the Journal of the House of Representatives, p. 284

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 12, 1866,

To the Speaker of the House of Representatives:

Sir—I herewith transmit to the General Assembly the report of the Quartermaster General for the year ending 31st Dec., 1865.

The report contains full statements of the operations and condition of the Quartermaster's Subsistence and Ordnance Departments, from March 1st, 1865, to December 31st, 1865, and is unusually interesting, as showing the rapid closing up of these important and very extended departments, in a most satisfactory manner.

Very respectfully,

THOMAS C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 15, 1866

From the Journal of the House of Representatives, pp. 292-293

EXECUTIVE DEPARTMENT, MISSOURI, CITY OF JEFFERSON,
January 15, 1866.

To the Speaker of the House of Representatives:

Sir—In reply to the resolution of inquiry adopted by the House of Representatives on the 13th inst., I have to inform the General Assembly that the agreement entered into by the act approved February 18th, 1865, for the sale of the Platte Country Railroad, to parties pretending to represent the stockholders of the Weston and Atchison and Atchison and St. Joseph Railroad companies has not been complied with by said parties. They having made default in the payment of the sum of three hundred thousand dollars, and the semi-annual interest on the sum of eight hundred and sixty-eight thousand dollars, which by the terms of said act they were bound to pay into the State Treasury on the first day of January, 1866. In consequence of this default on their part, and in pursuance of the 13th section of said act, I did on the 30th day of January, 1866, in person, take possession of said railroad, its rolling stock, depots, fixtures and appurtenances from Savannah to Weston, and am now in possession thereof through an agent of experience in operating railroads and who kindly consented to accept the personal trust temporarily to organize and carry on the operations of said railroad, without interruption, until I am able to get an experienced man to whom I can confidently turn over the important trust. His instructions are to secure competent and reliable employees in every department of the road where changes are necessary to be made, and to make weekly deposits of the receipts of the road and report the same to me.

I have advertised said railroad for sale under the provisions of the act of the General Assembly before mentioned by publication in three newspapers published in the city of St. Joseph, a copy of which advertisement is herewith transmitted.

Being satisfied that the parties recently in possession of said railroad and claiming to represent the stockholders of the Weston and Atchison and Atchison and St. Joseph Railroad companies do not represent a majority of the bona fide stockholders of either of said railroads, I shall not recognize an equity of redemption on their part, and will, unless otherwise directed by the General Assembly, proceed to sell said railroad for cash, and unless it shall bring an amount exceeding all the indebtedness of the State, will buy it in at such sale and thus settle definitely the title, and place it in a condition where its completion northward to the Iowa line and southward to a railroad connection can be insured.

Very respectfully,

THO. C. FLETCHER.

TO THE SENATE

JANUARY 24, 1866

From the Journal of the Senate, pp. 305-307

EXECUTIVE DEPARTMENT, MISSOURI, January 24, 1866.

To the President of the Senate:

Sir—In reply to the interrogatives propounded to me by resolutions of the Senate which have this day been communicated to me, I have the honor to state in answer to the first interrogatory, that the Southwest Branch of the Pacific Railroad is absolutely forfeited to the State by reason of the failure of the Pacific Railroad to complete said Branch to Little Piney on the 10th day of April, 1865. The forfeiture occurred on that day.

In answer to the second interrogatory I would give as my opinion, in the absence of the Attorney General or other legal adviser, that said forfeiture by the Pacific Railroad did not operate as a forfeiture of the lease of the Messrs. Blow and Kennett as in favor of the Pacific Railroad, but would give the option to the successor of the Pacific Railroad in the ownership of the land to affirm or annul the lease made after the date of the mortgage by the Pacific Railroad to the State as such successor might see proper.

To the third interrogatory I have to say that no legal forfeiture on the part of the Pacific Railroad prior or subsequent to the 18th November, 1862, impaired any of the rights of said Company to lease or use any land granted to the Southwest Branch Railroad, nor will it ever do so until the State avails herself of her legal rights in the premises and obtains possession of the property. The Pacific Railroad Company I presume leased the Granby mines to Messrs. Blow and Kennett, or to the Granby Mining Company by the same "authority and right" that any other mortgagor in possession leases his property.

The fourth interrogatory I answer by stating that I am not officially informed whether Ferdinand Kennett and Peter E. Blow now occupy and work the mines and land leased to them by the Pacific Railroad, but am informed and believe that the Granby Mining Company work the mine at this time, and I presume pay their rents to their lessors, the Pacific Railroad.

Of the amount paid or to be paid I have no information whatever.

Answering the fifth interrogatory as fully and specifically as I am able to do, I will state that under the lease approved by me, the lessees will, I have no doubt, pay the rents to their lessor or his legal representative as tenants usually do, at present they would pay to the Pacific Railroad because by the act of the General Assembly of the State of Missouri, entitled "an act to accept a grant of land made to the State of Missouri by the Congress of the United States to aid the construction of certain railroads

in this State, and to apply a portion thereof to the Pacific Railroad, approved December 25, 1852," the Pacific Railroad became the owner of the lands of the Southwest Branch and is in possession thereof.

To the sixth interrogatory I answer that I have not sufficient knowledge to enable me to form a belief as to who compose the Granby Mining and Smelting Company. Mr. H. T. Blow and James B. Eads have informed me that they are interested in the Company.

To the seventh interrogatory I answer that I have no right to take possession of the Southwest Branch Railroad until after 10th April, 1865, and I did not do so then for the reason that I had no power to make any disposition of it in case I did take possession of it. I do not doubt but the Pacific Railroad would have willingly turned it over to me at any time after 10th April, 1865, if I had so desired; no rights of the State being endangered by the delay, I preferred to wait the meeting and action of the General Assembly.

The statement that I did take possession of the Southwest Branch Railroad and did assume and exercise the right to control and lease the lands mentioned, I can only attribute to an oversight incident to the hurry of business, it being a very great mistake of the facts, and such a statement as I cannot think the Senate intended deliberately to make. The approval and confirmation by me was given by me with a full knowledge of the legal effect of such a paper, which effect it would be mere surplusage to state.

In May last, the people of the extreme Southwest of the State were returning to their homes, they had been bravely fighting the battles of the country, their property had been destroyed in their absence, hundreds of them destitute, the country was in a great measure desolated, there was but little to invite the old settlers to return there, and nothing to induce immigration to that part of the State. I desired to induce capital to go to Granby and thus give employment to the people there and furnish supplies. This, Mr. H. T. Blow proposed to do with the consent of his partners, and the approval by me of the lease was one of

the means necessary to secure their consent which I most cordially gave, and the result was a blessing to the Southwest part of the State.

The rents for the ore obtained from Granby mine follow the title and possession of the Southwest Branch Railroad. If collected by the Pacific Railroad it is entirely within the power of the Legislature to compel an account for them whenever the State takes possession of the Southwest Branch Road.

All the men who can be put on the Granby mine cannot more than fully develop it in the present generation.

The lease is such as the proprietors of lead mines usually give and is as favorable to the lessor as the shrewdest owner of lead mines in the mining districts ever require.

To induce the working of any mines in the State, or the prospecting for minerals, I am always happy to do anything in my power, and will, unless prevented by legislation, approve and confirm all leases or other documents having such an object for any lands in the State, regardless of who they may be owned by or mortgaged to.

Very respectfully,

THO. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1866

From the Journal of the House of Representatives, pp. 454-455

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 2, 1866.

To the Speaker of the House of Representatives:

Sir—I herewith transmit to the General Assembly the annual report of the Adjutant General of the State, which will be found unusually full and very satisfactory. It contains information to which the lapse of time will lend additional interest. The Adjutant General is systematically

and carefully preserving and arranging all the records and papers which are the evidences to transmit to posterity the history of the noble part borne by Missourians in suppressing the great rebellion. The system, order and elegant execution of the affairs of the Adjutant General's office are highly creditable to his predecessor, to him and his efficient assistants, and the value of which though now seen and felt every day, will be more highly appreciated by the descendants of the men whose names are enscribed on our rolls of honor.

Very respectfully,

THO. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 19, 1866

From the Journal of the House of Representatives, pp. 576-581

EXECUTIVE DEPARTMENT, STATE OF MISSOURI, CITY OF JEFFERSON, February 19, 1866.

To the Speaker of the House of Representatives:

Sir—In pursuance of the following resolution adopted by the House of Representatives on the 9th day of February, 1866, to-wit:

Resolved, That His Excellency, Governor Fletcher, be hereby requested to furnish to this House at his earliest convenience a statement of the effects received from the parties from whom he received possession of the Atchison and St. Joseph, and Weston and Atchison and Platte Country Railroads, together with a statement of the proceeds derived since taking possession of the same up to the 3d inst.,"

I have to state that the effects received by me on taking possession of said railroads were the following named articles of property as described in the following:

SCHEDULE

Of Rolling Stock, Tools and other Property Transferred by the Atchison and St. Joseph, and Weston and Atchison Railroad Companies, to Madison Miller, Agent of the State of Missouri.

January 4th, 1866.

Two (2) locomotive engines, Nos. 1 and 2.
One (1) baggage and passenger car.
Two (2) passenger cars.
One (1) baggage car.
Ten (10) platform cars.
Five (5) box cars.
Four (4) freight car trucks.
Seven (7) hand-cars.
Two (2) push cars.
Five thousand (about 5,000) ties.
One hundred and thirty-five (135) cords of wood at St. Joe.
Seventy (70) cords of wood at Horse-shoe Tank.
Eighty (80) cords of wood at Sugar Lake Tank.
Shovels, picks, bars, and other tools of every description used in track repairs.
Office and furniture, stationery, stove, &c., &c.
Machine shop and tools, as per annexed list, No. 1.
Car shop tools and materials, as per annexed list, No. 2.
Blacksmith shop, tools and material, as per annexed list, No. 3.

LIST NO. I.

MACHINE SHOP TOOLS.

January 4th, 1866.

One (1) twelve-horse power oscilliating engine.
One (1) large twelve-foot screw cutting lathe swing, 32 inches.
One (1) large bolt cutter, taps and dies, from ½ to 1¾.

One (1) small upright drill press.
Two (2) large bench vices.
One (1) small grind stone.
One (1) 3x8 McGowan pump, in use.
One (1) 4x8 McGowan pump, extra.
Twenty-five (25) feet 2-inch gas pipe (about).
One (1) valve seat planer.
Three (3) large engine-house stoves, complete.
Two (2) large engine-house stoves, not finished.
Forty (40) feet main shafting, with pulleys for running.
Lathe bolt-cutter, drill press, &c.
One (1) set large taps and dies. } For Rogers' Engine.
One (1) set small taps and dies. }
Two (2) fifteen-ton hydraulic jacks, shop use.
Two (2) large screw jacks, shop use.
Two small screw jacks, shop use.

MATERIAL.

Nine (9) hand-car wheels, 27 inch, new.
Six (6) hand-car wheels, 23 inch, new.
Two (2) pairs tender wheels and axles, old.
Three (3) pairs tender wheels and axles, new.
About 3,000 pounds wrought scrap iron.
About 1,000 pounds cast scrap iron.
Seven (7) axle boxes for tender, complete.
Four (4) axle boxes for engine truck, complete.
400 pounds sheet-iron, assorted.
One (1) truck spring, for engine No. 2.
Two (2) driving springs, for engine No. 2.
Two (2) driving springs, for engine No. 1.
One hundred (100) pounds grate bars, engine No. 2.
Thirty (30) feet 2½ inch gum hose, in use.
Seventy-five (75) feet 1½ inch gum hose, in use.
Two thousand pounds car castings, new.
Fifteen (15) pounds hemp packing.
Twenty (20) pounds woolen waste.
Twenty (20) gallons coal oil.

Fifteen (15) gallons whale oil, for train lamps.
Six (6) train lanterns old.
Nine (9) train lanterns, new.
Two dozen head-lamp chimneys.
Three packages 7½x½-inch bolts, for freight cars.
Two 10-gallon water coolers, for passenger cars.
One 30-gallon tin coal oil can.
One 45-gallon tin coal oil can.
Two sheets No. 40 copper, 80 pounds.
Ten pounds hemp bell-cord, for train use.
Twenty coach candles, 10 pounds leather, two picks.
One grub-hoe, 1 signal lantern, two brush scythes.
One hundred and fifty pounds rags, 8 brooms, 21 shovels, new.
One hundred feet leather belting, assorted, 150 pounds engine brasses and 75 pounds old brass.

LIST NO. 2.

CAR SHOP TOOLS AND MATERIAL.

January 4th, 1866.

One (1) morticing machine; 1 paint mill.
Two (2) stoves.
Two (2) freight cars, framed.
One (1) set coach trucks, framed.
One (1) set coach trucks, complete.
Seventy (70) pounds rubber car springs.
Two hundred feet coach glass, 200 pounds nails, 60 pounds red lead.
4,500 feet pine car roofing.
128 feet pine flooring.
204 feet walnut battening.
200 feet 1½-inch oak.
2,000 feet 1¼-inch oak; 144 pieces 6x6x12.
140 feet 2-inch oak; 200 feet 1½ car flooring oak.
216 feet 6x9 walnut; 192 feet 8x8.
540 feet 6x12 oak; 160 feet 8x10.
115 feet 4x10 oak; 60 feet 12x5.

1,204 feet 4x8 oak; 46 feet 7x8.
504 feet 3x6 oak; 274 feet 4x8.
749 feet 4x10 oak; 18 feet 4x4.
344 feet 4x8 oak; 54 feet 3x12 walnut.
126 feet 3½x6½ oak; 288 feet 2x12 ash.
264 feet 3x8 oak; 200 feet 2 ash.
200 feet 4x10.
192 feet 3x8.

LIST NO 3.

BLACKSMITH SHOP, TOOLS AND MATERIAL.

January 4, 1866.

One (1) forge, 1 pair 40 bellows.
One (1) Peter Wright anvil.
One (1) small vice and bench, 1 large swage block.
One (1) large face plate.
Two (2) cast-steel sledges.
Two (2) cast-steel hand-hammers.
Two (2) cast-steel sett-hammers.
Two (2) cast-steel flatters.
Thirteen (13) cast-steel top swedges.
Six (6) cast-steel bottom swedges.
Two (2) cast-steel top fullers.
Three (3) cast-steel bottom fullers.
Two (2) cast-steel cap tools.
Three (3) cast-steel chisels.
Nine (9) cast-steel punches.
Two (2) cast-steel hard-eyes, for cutting round-iron.
Twenty-one (21) pairs of tongs; 11,000 pounds assorted bar-iron.
Three (3) forge shovels; 508 pounds assorted cast-steel.
Eleven (11) heading tools; 515 pounds assorted nuts.
Three (3) hand mandrels; 45 pounds assorted washers.
Six hand punches.
One spring clamp.
One pair of callippers.

One pound of borax.

One Slate.

The gross receipts of said railroad, from the 4th day of January to the 3d day of February, inclusive of both days, was seven thousand and thirty-one dollars and forty-four cents; during which time six hundred and ninety-three dollars and fifty cents was paid out for ordinary expenses, which will appear in detail by a statement herewith transmitted.

Respectfully,

THOS. C. FLETCHER.

1866.	CASH	DR.
January 4	Transportation account, Savannah	$37.00
January 4	Transportation account, Morris	235.00
January 5	Transportation account, Savannah	43.00
January 5	Transportation account, Morris	249.25
January 6	Transportation account, Savannah	21 00
January 6	Transportation account, Morris	218.00
January 7	Transportation account, Morris	149 00
January 7	Transportation account, Savannah	21.00
January 8	Transportation account, Savannah	21.00
January 8	Transportation account, Morris	176.75
January 9	Transportation account, Savannah	36 00
January 9	Transportation account, Morris	264.25
January 10	Transportation account, Savannah	25.00
January 10	Transportation account, Morris	190.25
January 11	Transportation account, Savannah	33.00
January 11	Transportation account, Morris	145.00
January 11	Local freight, Mitchell's cars, 4th and 6th	80.00
January 12	Transportation account, Savannah	19.00
January 12	Transportation account, Morris	152.00
January 12	Savannah Station	261.30
January 13	Transportation account, Savannah	53.00
January 13	Transportation account, Morris	161.50
January 13	Local freight, Palmer	154 50
January 14	Transportation account, Morris	184.00
January 14	Transportation account, Savannah, Massey	19.00
January 15	Transportation account, Savannah, Massey	44.00
January 15	Transportation account, Morris	181.50
January 15	Savannah Station	545.50
January 15	Weston Station	214.75
January 16	Transportation account, Savannah	41.00
January 16	Transportation account, Morris	215.00

January 17 Transportation account, Savannah	$42.00
January 17 Transportation account, Morris	250.00
January 17 Local freight, Palmer	301.50
January 17 Local freight, Turner	14 00
January 18 Transportation account, Savannah	40.00
January 18 Transportation account, Morris	234.00
January 18 Local freight, Young	246 00
January 19 Transportation account, Savannah	21.00
January 19 Transportation account, Morris	199.00
January 20 Transportation account, Savannah	27.00
January 20 Transportation account, Morris	203.00
January 21 Transportation account, Morris	136.00
January 21 Transportation account, Savannah	32.00
January 21 Weston Station	398.37
January 22 Transportation account, Savannah	28.00
January 22 Transportation account, Morris	201.25
January 22 Local freight, Osborn	448.00
January 23 Transportation account, Savannah	35.00
January 23 Transportation account, Morris	232.75
January 23 Weston Station	239.20
January 24 Transportation account, Savannah	20.00
January 24 Transportation account, Morris	205.00
January 25 Transportation account, Savannah	19.00
January 25 Transportation account, Morris	201.00
January 25 Savannah Station	1,988.06
January 26 Transportation account, Savannah	31.00
January 26 Transportation account, Morris	259.00
January 27 Transportation account, Savannah	25.00
January 27 Transportation account, Morris	158.50
January 27 Local freight, Pepperd	20.00
January 28 Local freight, Palmer	544.00
January 28 Coal	15.00
January 28 Transportation account, Savannah	22.00
January 28 Transportation account, Morris	157.00
January 29 Transportation account, Savannah	17.00
January 29 Transportation account, Morris	188.50
January 29 Local freight, Young	130.00
January 29 Transportation account, Morris	35.00
January 29 Transportation account, Massey	40 50
January 29 Transportation account, Morris	171.00
January 31 Weston Station	206.07
January 31 Transportation account, Savannah	40.00
January 31 Transportation account, Massey	94.00
January 31 Transportation account, Morris	160.00
January 31 Winthrop Station	588.43
January 31 Savannah Station	370.14
January 31 Weston Station	35.14
	$13,259.36

Unfinished Business.

January 31	Tickets and military transportation	$1,684.14	
January 31	Freight as stations	2,304.41	
January 31	Wood and tie train	271.40	4,259.95
			$17,519.31
January 31	Cash balance		$5,785.06
February 1	Transportation account, Savannah		50.50
February 1	Transportation account, Morris		207.00
February 1	Transportation account, Massey		40.00
February 2	Transportation account, Savannah		27.25
February 2	Transportation account, Morris		145 00
February 2	Transportation account, Massey		46.75
February 2	Local freight, Palmer		250.00
February 3	Transportation account, Savannah		40.00
February 3	Transportation account, Massey		37.00
February 3	Transportation account, Morris		151.00
February 3	Transportation account, Express		250.88
			$7,031.44

[THOMAS C. FLETCHER.]

TO THE SENATE

FEBRUARY 22, 1866

From the Journal of Executive Business in Senate Journal, p. 758

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 22, 1866.

To the President of the Senate:

I have nominated, and ask the consent of the Senate to appoint, as Commissioners for the Platte Country Railroad under the provisions of the act of the General Assembly, approved February 19, 1866, the following named persons:

Samuel Huffman, of Andrew county,
Joseph E. Merryman, of Platte county,
John F. Hume, of St. Louis county.

Very respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 22, 1866

From the Journal of the Senate, p. 765

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
February 22, 1866.

To the President of the Senate:

Sir—I have nominated and ask the consent of the Senate to the appointment of the following named persons as Commissioners under the act of the General Assembly, approved February 19, 1866, for the Southwest Pacific Railroad:

Robert J. McElheny, of Greene county,
Amos W. Maupin, of Franklin county,
P. Joseph Osterhaus, of St. Louis county,

Very respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 26, 1866

From the Journal of Executive Business in Senate Journal, p. 762

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
February 26, 1866.

To the President of the Senate:

Sir—I have nominated and ask the consent of the Senate to commission the following named persons as Managers of the State Lunatic Asylum:

Dr. Joseph D. Smith, of St. Joseph,
Dr. Charles H. Hughes, Audrain county.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 26, 1866

From the Journal of Executive Business in Senate Journal, p. 765

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 26, 1866.

To the President of the Senate:

Sir—No official communication having been made to me of the action of the Senate on the names of the persons nominated by me for Commissioners of the Platte Country Railroad, I respectfully ask that if final action has not been had that the name of Joseph E. Merryman may be returned to me.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 26, 1866

From the Journal of Executive Business in Senate Journal, pp. 765-766

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 26, 1866.

To the President of the Senate:

Sir—I have nominated, and ask the consent of the Senate to commission as Commissioners, under the act of the General Assembly, approved February 19, 1866, for the sale of the St. Louis and Iron Mountain Railroad and for the Cairo and Fulton Railroad, the following named persons:

Charles S. Rankin, of Jefferson county,
Bernard G. Farrar, of St. Louis.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 1866

From the Journal of the House of Representatives, pp. 669-672

Senators and Representatives:

In pursuance of the statement in my Message delivered to you at the opening of your adjourned session, I respectfully call your attention specially to the subject of the indebtedness of the State.

However difficult of solution the problem as to what should be our action toward our creditors, it is a question which must be met, and the circumstances surrounding us seem to admit of no further delay in taking upon it some decisive action.

On twenty millions of dollars of bonds of the State issued to aid the construction of railroads, the State has paid no interest since 1861. The accrued interest on these bonds amounts to, say six millions three hundred and sixteen thousand dollars. The faith of the State, which is the faith of the citizens individually as well as a collective obligation, is pledged to the payment of this interest and the redemption of these bonds. We should be jealous of our character for keeping our faith with all men, non-residents as well as citizens of this State. States, like individuals, must prove their intentions by exertions to pay their honest debts, if they would prosper by retaining the confidence of their creditors. There is no sentence in our language more replete with practical wisdom than the words of the Father of his Country, when he admonished us "to cherish public credit." No Missourian possessing due pride in the rising greatness of our State would permit the blighting effects of repudiation to tarnish our fair name and darken our future; and yet many, I fear, fail to see that the effect of refusing to pay a part, however small, of our just debts, when we have the ability to do so, is

virtual repudiation. I beseech you to take such steps at this time as will relieve our State from liability to such a charge, even by implication. We should act as an intelligent business man would act under similar circumstances, by providing for the payment of as much as we are able to pay at present, and increasing our payments in proportion to the increase of our ability to pay, and thus exhibit an honest and earnest disposition to cancel our indebtedness by payment.

While the State was the theater of war, no dishonor could attach to our failure to pay, nor have our creditors made complaint. The war is at an end; and, though returning peace has found our people largely despoiled of their property—though our State, in bearing a part so distinguished in the suppression of the great rebellion as to challenge the admiration of the loyal people of the nation, has given millions for the payment of armies which should have been paid by the Federal Government—we are still able to pay at least in part our semi-annual interest, and the ability to pay is increasing rapidly and continually. The swelling tide of immigration is adding to our industrious and progressive population numbers so great that the monthly aggregate would scarcely be credited. Our vast industrial resources, which make our State so intrinsically rich, but which are unavailable to pay debts, will soon be added to our available wealth, and, under all the unfavorable financial circumstances which surround us consequent on the war, the beginning of the year 1868 will bring the triumphant vindication of the truth of the statements made by some of us years ago, that "two years of freedom in Missouri would return more than two-fold the loss of the value of all slave property in the State." The assessed value of property in the State at that date may as certainly be calculated at four hundred millions of dollars as it is possible for man to predict effects in the future from causes the results of which experience has shown us in the present.

With our growing prosperity, the obligation increases upon us to deal fairly with our creditors, and, in order to

accelerate our growth in population, it behooves us to endeavor at once to check the enormous accumulation of unpaid interest on our debt, and to provide a means of ultimate extinguishment of the whole debt.

At your first session, you wisely declared to the world, by a concurrent resolution, "That we, as the representatives of the loyal people of Missouri, declare it to be our fixed and unalterable purpose, in which we believe ourselves to be fully sustained by those we represent, that the faith of the State shall be preserved with all her creditors, and their demands, principal and interest, satisfied to the fullest requirement." At the same time you appointed a Joint Committee to report a plan by which the question of the State's indebtedness might be solved. The report of that committee is before you, and in many respects corresponds with views which had first suggested themselves to my own mind. The object sought is to graduate our liabilities to our ability to pay, without imposing too heavy a burden upon our people, not yet fully recovered from the effects of civil war. With this view it is proposed to issue new bonds, in place of those now outstanding, consolidating both principal and over-due interest, to bear interest on a gradually ascending scale—beginning with three per cent. and increasing until in the year 1894 the maximum of nine per cent. will be reached. In this way it is arranged to conform the amount annually to be paid to the growing ability of the people to contribute, as near as that can now be determined.

Two points in this connection mainly offer themselves for your consideration:

First, the ability of the State to meet the demand which the plan suggested will from year to year make upon her resources. As the amount to be paid, as well as the rate of increase in interest, are wholly arbitrary, the plan is susceptible of any degree of modification in this respect, and, in case of its adoption, your own judgment will determine what is right and preferable.

The *second* point is the willingness of the bondholders to exchange their present securities for the proposed new issue. On this point I would say that I have availed myself of all opportunities afforded, both by correspondence and personal interview with the creditors of the State, to gather their views upon the subject of the debt, and, from their expressions at various times and in various forms, I am satisfied that they would cheerfully make the exchange. There is no reason why they should not. They would simply be surrendering one class of paper for another class of the same value, with the advantage, in the latter case, of the certain payment of interest at fixed, instead of uncertain periods. Without intending to go into a discussion of the details, the plan, in my judgment, is feasible, and will work satisfactorily in practice, because correct in principle and adapted to our peculiar wants and circumstances.

To demonstrate to you that the practical operation of the plan will not be oppressive upon the people, I invite your attention to the following facts: The tax for the present time is nine mills on the dollar. It is estimated that for 1867 a six-mill tax will suffice, with that of the present year, to meet current expenses and extinguish the Union Military bonded debt of the State, and leave a balance sufficient to pay the July coupons of 1868 on the consolidated bonds. In 1868, when the proposed plan is to go into operation, the total State tax will not exceed five mills, two and a half for current expenses of State Government and school fund, and the two and a half for interest and sinking fund, which the people, by the adoption of the ordinance of the State Convention, entitled "An Ordinance for the payment of State and Railroad indebtedness," have required that you should levy for these purposes. Five mills is one mill less than the present State tax of Illinois, and less than the State tax of Ohio for 1865. Certainly a tax of twenty-five dollars per annum on ten thousand dollars of taxable property can not be regarded as excessive,

when applied to the sole purpose of relieving the State from debt.

Every effort is being used to recover the claim of the State against the General Government, and no diligence will be spared in realizing the largest amount from railroad property to be sold, and the collection of the railroad tax imposed by the Convention ordinance.

I should fail in my duty at a period like this, when so much depends upon the character which our State sustains abroad, and when the accumulation of interest threatens to augment our debt to proportions such as will require the taxes in the future burthensome beyond measure, if I neglected to recommend to your consideration some measures to satisfy our creditors and to graduate the payment of this debt.

I am very firm in the belief that the adoption of such a plan would satisfy our creditors, encourage immigration, give credit to the securities issued by our people, and especially to those issued by our public corporations, and enable us to pay our State debt without the levy of heavy taxes; and therefore in obedience to that provision of our Constitution which requires the Executive from time to time to recommend to the consideration of General Assembly such measures as he shall deem necessary and expedient, I have thought proper to address you at this time upon a theme the importance of which can not be over estimated, and which appeals alike to the judgment and patriotism of every good citizen.

Very respectfully,

THO. C. FLETCHER.

City of Jefferson, February 28th, 1866.

TO THE SENATE

MARCH 7, 1866

From the Journal of Executive Business in Senate Journal, p. 766

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 7, 1866.

To the President of the Senate:

Sir—I have appointed, and ask the consent of the Senate to commission the following named persons:

Robert A. Watts, as Commissioner for the St. Louis and Iron Mountain Railroad.

Charles E. Salomon, as Commissioner for the Cairo and Fulton Railroad.

Very respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 9, 1866

From the Journal of Executive Business in Senate Journal, p. 767

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 9, 1866.

To the President of the Senate:

Sir—I have nominated and ask the consent of the Senate to commission Peter Blancjour a Commissioner for the Platte Country Railroad.

Very respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

MARCH 10, 1866

From the Journal of the House of Representatives, pp. 804-805

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 10, 1866.

Senators and Representatives:

I respectfully call your attention to an act entitled "an act to provide for the sale of certain railroads and property by the Governor, to foreclose the State's lien thereon, and to secure an early completion of the Southwest Branch Pacific, the Platte Country, the St. Louis and Iron Mountain and the Cairo and Fulton Railroads of Missouri," approved February 19th, 1866, and suggest that a supplementary act be passed by which the fourth section of said act shall be so explained as to obviate the necessity of advertising anew the roads advertised by me under the laws by which the liens of said roads were created. I have pursued strictly the several acts creating liens in favor of the State. The provision in the fourth section of the act referred to, requiring the publication of the notices by the Commissioners to be for the same time and in conjunction with the notices required to be published by me, is merely an interference with the due course of existing law, and without foundation in reason.

I also suggest that the provision in the tenth section requiring that the act be printed on the back of the bonds should be left discretionary with the parties issuing the bonds. The affixing of such a law as the one under consideration to a bond is always a detriment to the placing of it, for the reason that parties otherwise willing to purchase, naturally hesitate at binding themselves by the many things of which notice is imparted by printing the act upon the back of the bond.

The twelfth section of the act should be so explained as to require the Treasurer to execute and deliver the deed therein provided for on the production to him by the party owning the same, or his heirs or assigns, of the certificate issued by the Pacific Railroad. The President of the Pacific Railroad states to me that the company has received $25,042.92 for preempted lands for which certificates have been given to the purchasers, and that the money has been expended in construction.

The "South-west Pacific Railroad" is, in several of the sections subsequent to the first, called "the South-west Branch Pacific Railroad" which should be explained or rectified.

The doubt created by the reading of the third section, as to whether the Commissioners are to take possession of the Platte Country Railroad before the sale under the mortgage act or subsequent thereto should also be removed.

Very respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 15, 1866

From the Journal of the Senate, p. 770

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 15, 1866.

To the President of the Senate:

Sir—I respectfully ask the Senate to return me the name of Charles E. Salomon, nominated by me as Commissioner for the sale of the Cairo and Fulton Railroad, and I nominate and ask the consent of the Senate to commission R. F. W. E. Weber, of Stoddard county, a Commissioner for the sale of the Cairo and Fulton Railroad.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 16, 1866

From the Journal of Executive Business in Senate Journal, p. 769

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 16, 1866.

To the President of the Senate:

Sir—I have nominated and ask the consent of the Senate to commission N. S. Dimmitt a Commissioner for the sale of the Platte Country Railroad.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 16, 1866

From the Journal of Executive Business in Senate Journal, p. 770

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 16, 1866.

To the President of the Senate:

Sir—I have nominated and ask the consent of the Senate to appoint Theodore S. Case a Commissioner for the sale of the Platte Country Railroad.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

MARCH 16, 1866

From the Journal of the House of Representatives, pp. 903-904

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 16, 1866.

Senators and Representatives:

Impelled by a sense of duty, I again call your attention to the fact that at different points in the State there are

collected bands of from 50 to ——— each of the most desperate characters that ever disgraced the form of man, thoroughly armed and equipped, and awaiting only the favorable moment to commit such outrages, robbery and murder as not even the bushwhackers' dark history has heretofore chronicled. I am preparing to break up these lawless bands, and to bring to justice the outlaws who are thus defiant of the civil authority. This I intend to do, whatever may be the untoward circumstances in which I find myself involved. I again appeal to you to place at the disposal of the military department the means necessary to subsist the force which the actual condition of affairs indicate as likely to be indispensable to the protection of the lives and property of the people from these gathering organizations of marauders. The law must be upheld by the power of the sword, and this it shall not want to make it felt and feared. I require the means of subsisting the necessary force, and for that and the purpose of transportation, and such other incidental expenses as may be necessary in the premises, I ask you to place a sufficient sum at my disposal.

Very Respectfully,

THO. C. FLETHCER.

TO THE SENATE

JANUARY 17, 1867

From the Journal of the Senate, p. 76

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 17, 1867.

To the honorable President of the Senate:

Sir—I herewith transmit for the information of the General Assembly the annual report of the Paymaster General of the State, for the year ending 31st December last.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

JANUARY 17, 1867

From the Journal of the Senate, pp. 81-82

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, JEFFERSON CITY, January 17, 1867.

To the President of the Senate:

Sir—In response to the resolution of the Senate adopted on the 14th instant, calling upon me for information in reference to "amount paid the Swamp Land Agent, the number of acres of land located and where located; the number of acres to which said agent has obtained the right of the State and where located; the number and nature of the claims settled and adjusted between the State and the United States," I have to say that the Legislature, by an act entitled "an act to provide for the appointment of an agent to obtain the right of the State under the act of September 28, 1850, granting swamp and overflowed lands to the State of Missouri," approved January 25, 1865, required me to appoint such an agent, which duty I performed. Soon after the appointment of the agent he applied to me for advances on his pay to enable him to get copies of the approved lists of selections of lands under said act of Congress. The act of the Legislature referred to provided that the agent "shall receive such pay for his services as the Governor shall deem reasonable and proper."

The highest interests of the State in connection with this subject was to get the patents for the lands selected as early as possible, and at my suggestion the agent directed his exertions to that end. I advanced him money out of the Treasury to pay the expenses of procuring the necessary lists, and also for the purpose of paying extra clerk hire in Washington City to facilitate the making of the patents.

The General Assembly failed to fix the compensation of the agent, although the subject was debated for some days at the last session. The responsibility of fixing it

was left upon me. I fixed his compensation at two cents per acre.

I have obtained, through the kindness of the Auditor, copies of all accounts approved by me and paid to the Swamp Land Agent, which copies are herewith transmitted, showing that the total amount paid him for patents obtained and on account of work not yet completed at the Department of the Interior of Washington is $11,842 43-100.

I also transmit herewith a list of patents for swamp lands received since 1st September, 1865, furnished me through the kindness of the Register of Lands, showing the total acres patented to be 560,600 7-100 acres. These lands are generally located south of the Missouri river; some of them are, I believe, in the late Plattsburg District, north of the Missouri river. The quantity situated in that district I am not able to state.

The agent has been using exertions to obtain the money due the State for lands entered after their selection under the act of Congress of 28th of September, 1850, but subsequently sold by the United States. It has been found that in consequence of the change of population consequent on the war, it is very difficult to make the strict proof required by the Department of the Interior to establish our claim to indemnity for the lands so sold by the United States. I was of opinion that under the act of Congress of 2d March, 1855, we could obtain a certificate of new location for the lands taken by the location of land warrants after their selection under the act of 28th September, 1850. In this, however, it seems I was mistaken, as will be seen by a letter from the honorable Secretary of Interior, of date the 15th of January, 1867, herewith transmitted. The Swamp Land Agent is now in Washington with the purpose of obtaining additional legislation by Congress to enable him to obtain the indemnity due the State for lands sold by the United States after their selection as swamp lands. He reports to me that under existing laws, and the manner of proof required by the Department of the Interior, it is almost, if not entirely, impracticable to make

the proof. He expresses to me strong hopes of being able to succeed in obtaining an act of Congress on the subject.

Of the lands patented to the State under the act of 28th September, 1850, the Commissioner of the General Land Office informs me that a number of tracts or parcels were inadvertently included in the patents, and desires me to release such tracts to the United States. While I am satisfied that it is proper that I should do so, I have preferred to first have authority to do so given me by the General Assembly.

Very respectfully,

THO. C. FLETCHER.

TO THE SENATE

JANUARY 24, 1867

From the Journal of the Senate, p. 107

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 24, 1867.

Hon. Geo. Smith, President of the Senate:

Sir—I herewith transmit to the Senate the report of the Board of Immigration for the year 1866, together with the report of the Secretary, Hon. Isidor Bush, which latter document is a most exceedingly interesting and valuable one, conveying a succinct statement of the operations of the board, and a concise view of the immigration movement, as well as invaluable statistics.

Very respectfully, your obedient servant,

THO. C. FLETCHER.

TO THE SENATE

JANUARY 30, 1867

From the Appendix of the Journal of the Senate, p. 133

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 30, 1867.

To the President of the Senate:

Sir—In response to a resolution of the Senate, adopted on the 22d inst., calling on the Adjutant General for certain information, I herewith transmit a report of the Adjutant General, accompanied by a report of the Acting Quartermaster General and Paymaster General, embracing, I believe, the information called for.

I have heretofore directed that the Inspector General, Assistant Quartermaster Generals and military secretary be relieved on the 1st of February.

I recommend that the Senate, by a committee, investigate fully the condition and management of the military department of the State government and determine the clerical force necessary for the transaction of the current business for the pay of which an appropriation should be made.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1867

From the Journal of the House of Representatives, pp. 242-243

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 8, 1867.

Senators and Representatives:

I herewith transmit to the General Assembly a very full and interesting report of James E. Yeatman, Esq.,

President of the Soldiers' Orphans' Home of St. Louis, with the reports of the superintendent and the treasurer which accompany the report of the president.

The condition of the affairs of this institution, as shown by this report, are highly satisfactory, and it will no doubt be gratifying to the General Assembly to have this assurance of the efficiency of the means adopted by the State for the care and education of the children of the men who died for the preservation of the Union.

Respectfully,

THOS. C. FLETCHER.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1867

From the Journal of the House of Representatives, pp. 272-273

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 11, 1867.

To the Honorable, the Speaker of the House of Representatives:

Sir—In reply to a resolution passed by the House of Representatives on the 5th inst., inquiring for information in reference to the condition of the case of the State of Missouri against the State of Kentucky for the proprietary right of Wolf Island, now pending in the Supreme Court of the United States, I have to state that about eleven months ago I employed C. A. Newcomb, Esq., to procure the testimony and look after the interests of the State in the case referred to. He informs me that in order to a proper understanding of the condition of the case, he went to Washington, D. C., and examined the records and papers and made an arrangement with the attorney representing the State of Kentucky for taking depositions; that the witnesses are numerous and at different points in Tennessee, Kentucky, Missouri, and Illinois, and all old men, too feeble to be brought away from their homes; that he was employed

during several weeks in taking depositions, and ceased doing so in December last, after having been at many points for that purpose, extending from Memphis, Tennessee, to Galena, Illinois.

Mr. Newcomb states to me that the case was continued by consent until each party has taken all the depositions they desired, or until each party is willing to submit the case on his proofs.

At the suggestion of Mr. Casselberry, of St. Louis, who I had applied to as an attorney to take charge of the case, I wrote Colonel F. A. Dick, formerly of St. Louis, now residing in Washington, on the 6th of August last, and asked him to attend to the case, and referred him to Mr. Newcomb in reference to the getting up the proofs.

The cause has been on the docket of the Supreme Court of the United States for a number of years. Appropriations have been made from time to time for its prosecution, but up to the time I came into office only the deposition of one witness had been taken on the part of Missouri, as I was informed.

Mr. Newcomb informed me a few days since that he was then about starting to Louisville, Kentucky, to attend to the taking of other depositions.

The only point involved in the trial of the cause will be whether at the time of the admission of Kentucky into the Union the main channel of the Mississippi river was on the east or west of Wolf Island.

I am not aware who represented Missouri as her attorney at the time the remarkable continuance spoken of was entered.

Instead of making an additional appropriation, I suggest that the prosecution of the case be directed, and that appropriations for any further pay of attorneys' fees be made when the case is decided.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 1867

From the Journal of the House of Representatives, pp. 368-369

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON' February 21, 1867.

Senators and Representatives:

Desiring at this time to carry into effect an intention formed at the time of communicating my message at the opening of your session, I call your attention specially to the condition of the geological survey of the State, which was commenced in 1853, and prosecuted up to 1861.

The State has spent $85,000 on this important enterprise. Only the work of the first eighteen months has been reported to the Legislature and published. All the work of nearly six years remains unpublished. The importance of publishing this was seen by your predecessors, and they passed an act which was approved March 20, 1866, authorizing Dr. L. D. Morse and Prof. G. C. Swallow to publish the information obtained by the State Geologist since his last report.

I herewith transmit a report made to me by the gentlemen named in the act referred to, from which it will be seen that after careful examination of the condition of the survey, they are of opinion that any reports published at the present stage of the work would be necessarily incomplete.

When the work was suspended, eighty counties had been completed, thirteen others were half done, the others had not been commenced. It would be unjust to the counties half surveyed and those not surveyed at all to abandon the survey, and publish the work as far only as it is now completed. Those counties have paid their proportion of the expense of the survey, and are entitled to proportionate shares of the benefits of the reports.

No State in the Union can derive the same benefits from a geological survey as Missouri. The States all around us have completed or are progressing with their geological surveys, and by their published reports are drawing to their borders a large share of the brains, muscles and wealth which is flowing westward.

There is no measure so well calculated to increase immigration to the State as the completion of our geological survey, and the publication of the reports.

I think it was well that the Legislature directed that the survey should be completed before any other reports were made. The State Geologist, with the survey completed, will be able to arrange the subjects of his reports so as to publish them in separate volumes, showing the geology proper, the mines, the soils and agricultural products with analyses of all the soils.

I earnestly recommend the completion of this survey and the publication of the reports; the appropriation of twenty-five thousand dollars will probably be sufficient for this purpose, if made at this time, but if deferred, the work done up to 1861 and yet unpublished may be, and at present prices it would cost a hundred thousand dollars to replace it, complete the survey and publish the reports.

Millions of wealth would be added to us by giving to the capitalists of the world a full and reliable knowledge of our minerals. Scientific agriculture, coming hand in hand with free labor, demands scientific reports of our soils, and will, with the knowledge which the completion of this survey would give, soon develop new and inexhaustible sources of wealth and prosperity to our people.

Respectfully,

THOS. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 1867

From the Journal of the Senate, p. 314

EXECUTIVE DEPARTMENT, STATE OF MISSOURI, JEFFERSON CITY, February 28, 1867.

Senators and Representatives:

I herewith transmit for the information of the General Assembly the annual report of Col. Samuel P. Simpson, Adjutant General of the State and acting Quartermaster General for the year 1866.

The report is very full and satisfactory. I call the attention of the General Assembly to it as containing facts which will enable you to reach correct conclusions as to the interests of the State in connection with the military department of the State Government.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 2, 1867

From the Journal of Executive Business, p. 87

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 2, 1867.

To the President of the Senate:

I respectfully ask the Senate to confirm the following appointments made by me:

J. O. Codding to fill a vacancy in the office of Police Commissioner of St. Louis.

Wm. A. Heguemborg, Police Commissioner for St. Louis for four years.

Lucien Eaton, Police Commissioner for St. Louis for four years.

Bacon Montgomery to be Brigadier General of Militia for the Second Military District.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

MARCH 7, 1867

From the Journal of the Senate, p. 376

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 7, 1867.

Senators and Representatives:

I herewith transmit for your information a memorial, articles of association and the by-laws, rules and regulations of the National Lincoln Monument Association, together with a letter from Gen. I. N. Haynie, written on behalf of the association.

The loyal States of the Union are contributing to the truly patriotic and national enterprise of building a monument to Abraham Lincoln, which shall be to coming generations a testimonial of the appreciation of the American people of his worth and services. It is a source of deep regret to me that Missouri cannot be foremost in aiding this work. We must "be just before we are generous." Our creditors are yet unpaid, and until we have done what honor and justice require of us toward them, we cannot join in this noble undertaking. The association has, it seems, about $125,000. In the time necessary for the expenditure of that sum we may confidently rely on being able to contribute our part.

I call your attention to this subject for the purpose of eliciting an expression of the feelings of the General Assembly for the encouragement of the Monument Association, and in the hope that you will give the assurance to our sister States that we are not behind them in admiration of Abraham Lincoln and respect for his memory, and that Missouri will, as soon as she can justly do so, inscribe her name in the roll of States that do honor to his memory, with a befitting contribution.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 9, 1867

From the Journal of the Senate, pp. 409-410

EXECUTIVE DEPARTMENT, STATE OF MISSOURI, JEFFERSON CITY, March 9, 1867.

To the Honorable, the President of the Senate:

Sir—I have this day examined and rendered a decision upon certain proceedings had by the General Assembly, and communicated to me by resolution of the House of Representatives, with an address praying the removal from office of James C. Moody, a judge of the Circuit Court of St. Louis county.

I herewith transmit a copy of the decision rendered by me on said proceedings, from which it will be seen that I approved of the action of the General Assembly, and made an order removing James C. Moody from the office of a judge of the Circuit Court of St. Louis county, and have filed the same in the office of the Secretary of State.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 9, 1867

From the Journal of the Senate, p. 410

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, JEFFERSON CITY, March 9, 1867.

WHEREAS, The two houses of the General Assembly of the State of Missouri have, upon charges and specifications found in due form of law, and in accordance with the provisions of the Constitution of the State, section 19, article 6, declared James C. Moody, Judge of the St. Louis Circuit Court, guilty of the matters and things alleged in said

charges and specifications, and have, according to the provisions of the law in such case made and provided, adopted in both houses an address to the Governor of this State, requesting him to remove said James C. Moody from his office of judge of the Circuit Court of St. Louis county;

Now, in pursuance of the request made by the two houses of the General Assembly of this State, as above set forth, I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the power vested in me by the Constitution of this State, under article 6, section 19, and the statutes in such case made and provided, do hereby remove James C. Moody from his office of judge of the Circuit Court of St. Louis county, and declare the commission and authority of the said James C. Moody as judge vacated and revoked.

THO. C. FLETCHER,

Governor of Missouri.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

JANUARY 17, 1868

From the Journal of the Senate, pp. 74-75

EXECUTIVE DEPARTMENT, STATE OF MISSOURI, CITY OF JEFFERSON, January 17, 1868.

Senators and Representatives:

In obedience to the requirements of the 14th section of the act provided for the sale of certain railroads, approved February 19, 1866, I have taken possession of the St. Louis and Iron Mountain railroad, and have appointed an agent and a superintendent to operate it until the General Assembly shall otherwise dispose of the same.

This road was sold by the State, under the act referred to, upon the following expressed terms and conditions:

First. The purchaser was bound to pay one-fourth of the purchase money at the time of sale, and the balance in five equal installments, payable annually, with interest on the deferred payments.

Second. The road was to be finished to a point south of Pilot Knob, to connect with the line of the Cairo and Fulton railroad, in three years, and to the Mississippi river, opposite or below Columbus, Kentucky, in five years.

Third. The purchaser was bound to expend, in each and every year, between the date of sale and the completion of the road, at least five hundred thousand dollars in the work of graduation, masonry, or superstructure on said extension.

Fourth. An annual statement of expenditures should be made under oath by the treasurer and two directors of the road, and be filed with the Secretary of State.

Fifth. Any failure on the part of the purchaser to pay the purchase money, or to expend the sums of money stipulated to be annually expended, should work a forfeiture of the road, its franchises, rolling stock, appurtenances, and other property, both real and personal, to the State of Missouri; and the Governor should, in such case, proceed at once to take possession of the same, without the aid of any writ or process of law.

The purchaser of this road has failed to pay the annual installment of purchase money due on the first day of January, 1868. He has failed to expend the sum of five hundred thousand dollars in the work of graduation, masonry, or superstructure of the extension of the road, and he has failed to file a statement of expenditures, under oath, as required by the contract and by the fifth section of the act referred to.

The recent owner of this road has expended considerable sums of money for material and for purposes necessary in the extension of the road, which is not included in grading, masonry, and superstructure. He has manifested a disposition to build a road to Belmont, and having put his private means, to a large amount, in the enterprise, he is

entitled to a liberal consideration of any proposition (consistent with the interests of the State) he may submit to redeem the property, or to be preferred as the purchaser at any sale of it you may make.

The money with which railroads are built in this country is always borrowed for the purpose. It can only be had on first mortgage bonds. The bonds which a purchaser, under the act of February 19, 1866, could issue for building a railroad were subject to a lien for the first, second, and third stipulations of the contract as above set forth, and were therefore, in fact, only a fourth lien on the road built and to be built. It is no matter of surprise to me that, under these circumstances, both the roads sold under that act are forfeited to the State.

I will not repeat what I have so recently said, in my last message, in reference to the importance of building this road, but submit this great interest of the State to your action, with the earnest recommendation that you will avail yourselves of the recovery of title and possession of the same to take such measures as will secure its completion within the shortest time possible.

In whatever disposition may be made of the St. Louis and Iron Mountain railroad, I hope that the Cairo and Fulton road will be made a part of it in every legal aspect, and no redemption of the Iron Mountain road should be permitted unless the purchaser is bound for compliance with the terms of the purchase of the Cairo and Fulton road.

In any future sale of this road, or in case its redemption is permitted, such power should be reserved to the Legislature as to prevent it from becoming a monopoly oppressive upon the people in its tariffs and general management. It should also be made, after its completion, to yield a small per centage, not exceeding two per cent., of its gross earnings to the State, in addition to the same taxes the property of other citizens is liable to pay.

THO. C. FLETCHER.

TO THE SENATE

JANUARY 18, 1868

From the Journal of Executive Business, p. 89

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 18, 1868.

To the President of the Senate:

Sir—I have appointed Benjamin R. Bomier fund Commissioner for the North Missouri Railroad and respectfully ask the Senate to confirm the appointment.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

JANUARY 20, 1868

From the Journal of the Senate, p. 85

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 20, 1868.

To the President of the Senate:

Sir—I herewith transmit to the General Assembly the report of Col. Wm. J. Dougherty, Paymaster General.

Also, the report of the President and Secretary of the Missouri Collegiate and Military Institute.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1868

From the Journal of the Senate, pp. 85-91

Senators and Representatives:

In my message addressed to you on the 8th inst., I briefly stated the facts in reference to the seizure by

me of the Southwest Pacific railroad, and announced my intention of communicating, specially, my views in reference to it. I was influenced to this course by considerations of the importance of the subject and the length of a communication which will embrace all the questions deemed by me proper to discuss under the circumstances surrounding this long deferred and greatly desired road.

For the construction of a railroad from St. Louis to the western boundary of the State there was granted to the State of Missouri, by act of Congress of the 10th June, 1852, every alternate section of land, designated by even numbers, for six sections in width on each side of said railroad; and for all or any part of the sections, designated by even numbers, which had been sold by the United States, or on which pre-emptions had been made before the date of the act, the State was permitted to select an equal quantity from any sections designated by even numbers within fifteen miles of the line of the road.

It was further provided by the same act that the land remaining to the United States "within six miles on each side of said road, shall not be sold for less than double the minimum price of the public land when sold."

It was further provided by the same act that the land so granted should be subject to the disposal of the Legislature for the purposes stated in the act, and no other.

The Legislature, by an act entitled "an act to accept a grant of land made to the State of Missouri by the Congress of the United States to aid in the construction of certain railroads in this State, and to apply a portion thereof to the Pacific railroad," approved December 25, 1852, vested all the rights acquired by the State under the act of Congress referred to, so far as the same was applicable to the construction of a railroad from St. Louis to the western boundary of the State, in the Pacific railroad.

The same act authorizes the building of the "Southwest Branch of the Pacific railroad," now known as the Southwest Pacific railroad.

The land set apart to the Southwest Branch road commences four miles west of the range line which divides ranges one and two west of the fifth principal meridian, extending to the western boundary of the State, and embraced, at the time the Pacific railroad surrendered it to the State, one million seventeen thousand six hundred and eighty-two acres unsold.

The "act to secure the completion of certain railroads in this State," which became a law on the 10th of December, 1855, authorized the Pacific railroad to mortgage the Southwest Branch, and to include in the mortgage all the lands vested in it for the building of the road, for an amount not exceeding ten million dollars, and required the Governor to indorse the guarantee of the State on three millions of bonds for building the first division of the road, from Franklin to a point twenty-five miles west of the mouth of Little Piney.

On the 3d of March, 1857, the last-named act was amended so as to require the Governor to indorse the guarantee of the State on four million five hundred thousand dollars of the bonds of the Pacific railroad for the Southwest Branch, bearing seven per cent. interest. This was done; and afterward, by a supplemental act passed 19th of November, 1857, and by an "act concerning the bonds of the Pacific railroad guaranteed by the State," approved March 2d, 1861, the holders of the bonds were given the privilege of exchanging them for State bonds. There now remain fifteen hundred and eighty-nine of these bonds unexchanged, and they constitute a valid and subsisting first mortgage on the Southwest Pacific railroad, and on all the land set apart to aid the building of that road, for one million five hundred and eighty-nine thousand dollars.

By the terms of this mortgage there was reserved to the Pacific railroad the right of selling the land, and it was stipulated that upon the payment to the State Treasurer of the purchase money for any of the land so sold he should join in the deed, and such deed should constitute a perfect title to the land conveyed.

The twenty-eighth section of the act authorizing this mortgage provided that in case of certain defaults of the Pacific railroad the Southwest Branch should, by mere operation of law, become the property of the State. Default was made, it became the property of the State and was taken possession of by me, the Pacific railroad yielding up all the rights of redemption, or otherwise, it had ever acquired to the road and the lands, the State thereby becoming possessed of all the rights of the mortgagor, including the power to sell and convey, free of any lien of the mortgage, all or any of the lands referred to, in the manner provided by the mortgage.

The road now built and to be built cannot be sold by the State, free of the mortgage mentioned, and the holders of the $1,589,000 of guaranteed bonds have a first lien upon it for the payment of their bonds. It was with a view to get rid of this lien, as well as to save the State the difference in interest, that I proposed, in my message at the commencement of your session, to consolidate all our outstanding indebtedness into six per cent. bonds. This could have been done before the resumption of the payment of interest, but the holders of the seven per cent. bonds would not now exchange them.

In the act providing for the sale of this and other roads, passed 19th of February, 1866, the State assumes the payment of these bonds, but the lien to the bondholders is a subsisting one, and cannot be affected by any act to which their assent is not given. The faith of the State is pledged for the payment of principal and interest of these bonds as they fall due.

I am informed that this last-named company attempted to sell about 18,478 acres of land, but only a small portion of it, I presume, was sold to actual settlers. The aggregate of the sales thus attempted to be made was $100,714.25, of which about $36,000 was paid to that company by the purchasers. The Atlantic and Pacific Railroad Company had only such title as it acquired from General Fremont, and he could only give such title as he

had acquired by his purchase from the State. The title he derived from the State was subject to the lien for the seven per cent. bonds mentioned, to the lien of the State for the purchase price which he agreed to pay for the road and the land, and also to the lien of the State for a compliance with his contract to extend the road.

While I recommend that protection be afforded the persons who had innocently and in good faith purchased land from the Atlantic and Pacific Railroad Company, and had settled upon and improved the same before the 15th day of June, 1867, I see no propriety in relieving speculators of any of their misfortunes resulting from purchasing bad titles to land, of the claim of the State, to which they had legal notice.

I need not here repeat the views so often expressed as to the importance of this road to Southwest Missouri and to the interests of the State generally. The natural advantages presented by the soil, climate, minerals, and water power of the southwestern counties are attracting thither immigration by the thousands. The people of that portion of the State are without any means of communication with markets for their surplus productions; notwithstanding this, an immigration is fast settling up the lands of the southwestern counties that are subject to settlement and purchase.

In the selection of the land granted by the act of Congress, there was taken, east of Laclede county, only the unentered land of the sections designated by even numbers within the limit of six miles on each side of the line of the proposed road; while selections were made in the more western countries, in better agricultural districts for all the deficit in quantity, thus spreading out a belt of thirty miles in width, in which all the good land of the sections designated by even numbers, and at that date unsold by the United States, was secured to aid the building of a railroad, but which was thereby denied to the immigrant seeking a home for himself and his family, and who was prevented from adding the land and the labor and capital he

would expend upon it to the taxable wealth of the State. I cannot refrain from expressing the belief that if this land had not been held from sale and settlement by the grant of it to aid the building of a railroad, it would have been so generally settled upon and improved that the population, wealth, and influence of the southwest counties would have thereby been so largely increased that the road would now have been built at least to Springfield.

It is not this grant alone which has prevented the more dense population of that portion of the State. Congress more recently passed an act granting to the Atlantic and Pacific railroad every alternate section of land designated by odd numbers, for forty miles in width, from Springfield westward; and it, too, is withdrawn from sale.

The Atlantic and Pacific railroad has floating liabilities to the amount of $450,000.00, all of which was incurred on account of the Southwest Pacific railroad. Of this sum there is due to laborers and to contractors, for money paid to laborers, upward of fifty thousand dollars. In any disposition you may make of the road, some provision should be made for paying these contractors and laborers for work actually done.

It is impossible that men of enterprise and capital will fail to see the value of the franchises of the Atlantic and Pacific railroad. If the route of the Union Pacific railway should diverge southward from Pond creek to the 35th parallel of latitude, this road would undoubtedly be built to connect with it at Albuquerque. The land granted is unusually great in quantity per mile, and is of a valuable quality the whole distance from Springfield to Albuquerque; and the building of this road will so materially lessen the distance by rail from San Francisco to St. Louis and New York that I cannot doubt that it will ultimately be built.

Taking into consideration the small amount of work done by the Atlantic and Pacific Railroad Company, and the amount of floating debt it is now liable for, it would appear that the company had no capital of consequence at any time, and has grossly mismanaged its af-

fairs. The whole of the work done by this company, in extending the Southwest Pacific railroad is estimated by competent civil engineers to be actually worth less than its floating debt. These evidences of want of financial ability in the management of the affairs of the company leave no hope that this company, as at present organized, will ever be able to build the road, or any part of it.

This road should be so disposed of as to secure its early extension to the State line. The act providing for the sale of this and other roads, passed 19th of February, 1866, will not admit of any person of reasonable ability accomplishing the desired object. To induce men of enterprise to undertake to build it, the terms of the contract must be so liberalized on the part of the State as to give confidence and security to capitalists.

It is not only necessary to find parties who will *undertake* to build this road, but to get men who have such knowledge of the subject as to fully estimate what they engage to do, and how to provide the means to carry to a successful termination an enterprise of such magnitude.

Money cannot be had for railroad bonds unless they are a first lien; and even when bonds are thus secured for a new enterprise, it is very difficult to sell them in the stock market in competition with United States securities and bonds of an established value, which afford opportunity for investment the safety of which requires no investigation.

The parties who may engage to build the road must, in order to succeed, have the completed portion of the road, and that which is hereafter to be built, free of any lien or incumbrance. This can only be done after the $1,589,000 of outstanding guaranteed bonds of the Pacific railroad are redeemed. The opportunity to force the holders of these bonds to exchange them for six per cent. State bonds, without doing great injury to the credit of the State, is past. The undertaking by the State, by the act for the sale of this and other railroads, approved February 19, 1866, to hold the purchaser of the road harmless from them does

not render them any the less a first lien on the road built and to be built. They become due from 1876 to 1880, except 140, which are due in 1890, 1891, and 1892. It will be necessary to make it to the interest of the holders of these bonds to exchange them for State bonds.

No reliable party will, in my opinion, be willing to pay the State anything of consequence for the finished portion of the road, and be bound to complete it within a reasonable time. While I recommend that the road be given away to secure its completion, and that it be given free of all liens, I also recommend that you provide for carefully guarding the proceeds of the sale of any bonds that may be secured by a lien on the road, and the application of such proceeds to its construction. This can be done by the appointment of a fund commissioner, who alone shall have power to receive the proceeds of the sale of any construction bonds, and who shall be held to a strict accountability to pay out money derived from that source for graduation, masonry, and superstructure of the extension of the road, and on no other account; or the same object may be accomplished by requiring security to be given for the completion of the road to certain points within a specified time.

If the Legislature shall fail to pass such a law as will enable parties of reasonable ability to build this road—if the policy of holding such liens and liabilities to forfeitures over it as to prevent such parties from raising money to build it is persevered in then, in order that this land grant shall no longer be a cause of preventing the settlement of the southwestern counties, I would recommend the sale of all the land granted to the State by the act of Congress of the 10th of June, 1852, to aid the construction of a railroad from St. Louis to the western boundary of the State; that the same be offered at public sale by the Register of Lands, and be sold at not less than such minimum price as you may fix by law, and that the proceeds of such sales be held by the State Treasurer, to be applied in aid of the construction of the Southwest railroad, in such manner as you may by law direct. These lands are valuable, and

while they will yield a sum which will go far toward building the road, they are not regarded among eastern capitalists (who do not appreciate their value) as a sufficient security upon which to advance the money necessary to build the road.

Population is a greater inducement for which to build a railroad than vacant lands. Population makes business; business creates a necessity for railroads, and always finds the means to build them.

From a personal knowledge of these lands, I estimate the proceeds of their sale at certainly not less than four millions of dollars, and believe that half that sum can be realized from them within one year, and the whole sum in two years.

It cannot be objected that this is not the manner of applying the grant to the purpose contemplated by the act of Congress. The grant is a perfect one—the title is complete in the State. It was not a gift by the United States. The minimum price of the lands of the United States was one dollar and twenty-five cents per acre, and the act of Congress provided that all the sections designated by even numbers should be granted to the State, and for the sections designated by odd numbers two dollars and fifty cents per acre should be the minimum price; and the people of Missouri have bought almost all of it at that price. They have expended four million five hundred thousand dollars in building the road for which this grant was made. The State has also expended seven millions of dollars in building another road "to the western line of the State," which was, in fact, the consideration of the grant by Congress, and is substantially a compliance with the conditions of the grant. The United States cannot, with any semblance of justice, claim a reversion of this land under any circumstances that may hereafter arise.

I suggest that, in any disposition you may make of this road, there be reserved the right to the State to regulate the rate of charges for carrying freight and passengers, and that a penalty be annexed for exceeding such rates.

It is not an inappropriate occasion to add, in this connection, that so far as you have power over the several railroads, by existing circumstances, this right ought to be reserved to the Legislature, and thus as fully as possible provide for the protection of the people from exorbitant charges on the part of these corporations, which have a monopoly of a business that might be used to the great detriment of the people.

The present is perhaps also the best occasion that may be presented for requiring (in all cases where it legally may be done) of all railroads a small annual tribute to the State, which would be so insignificant in amount as not to interfere with the profitable operation of the roads, but would, in the aggregate, ultimately grow to be a sum sufficient to carry on the State government without the levy of any taxes on the people for State purposes.

PRE-EMPTIONS.

The act of Congress making the grant, authorized the selection, by the State, of other land in lieu of any land to which pre-emption had attached.

The seventh section of the act of the Legislature of 25th of December, 1852, gave to every person who was, on the tenth day of June, 1852, the owner of an improvement on any of the land that might be selected under the grant the right to purchase the same at two dollars and fifty cents per acre; provided such owner should file in the circuit clerk's office of the county a notice to the railroad company of such claim within four months after the selection of the land by the railroad. By the act of 30th of March, 1855, the time for filing this notice was extended to the 1st of January, 1856, and the pre-emptions were made transferable. An act supplemental to the last mentioned act gave to persons who, before the 3d of March, 1855, had innocently in good faith settled on any of the land so granted—outside of the six miles specified in the act of Congress—the right to exchange neighboring land for the land so occupied.

This right to actual settlers was reaffirmed by the seventeenth section of the act of 10th of December, 1855, entitled "an act to secure the completion of certain railroads in this State."

On the 12th of December, 1855, an act was passed "to loan two hundred and fifty thousand dollars to the Pacific railroad," the sixth section of which gave to every person who, after the 10th of June, 1862, became the owner of an improvement on any of this land made prior to that date, the same rights given owners of such improvements by the seventh section of the act of 25th December, 1852, above referred to, and gave time until the 1st of September, 1856, to file notice of such claim.

The 22d section of the act of 3d of March, 1857, declared all claimants under former acts giving pre-emptions to be entitled to one hundred and sixty acres of land in a body, if so much has been claimed.

The act of 19th of February, 1866, directing the sale of certain railroads, and the supplementary act thereto, passed March 19, 1866, required the Pacific railroad to account for and pay over to the State Treasurer all money received for pre-empted lands, and directed the State Treasurer to make deeds therefor.

There are a great many of these claims. Many of the parties have paid a portion on their land, and some have paid in full. Hundreds of settlers have been annoyed by apprehensions of the validity of the titles to their homes.

I recommend that an act be passed authorizing the adjustment of these claims under the law, by the Attorney General or some competent person to be appointed a commissioner for that purpose. The Register of Lands should be required, upon the report of the Attorney General or the commissioner, to prepare a patent for the claim of each settler, to be executed by the Governor and the State Treasurer on the payment into the State treasury of the purchase price fixed by law, or the production of satisfactory evidence that the same has been paid to the Pacific railroad. Similar provisions should also be made for the

benefit of actual settlers who purchased any of this land from the Atlantic and Pacific Railroad Company before the 14th of June, 1867.

THO. C. FLETCHER.

Executive Office, January 20, 1868.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 29, 1868

From the Journal of the House of Representatives, p. 168

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 29, 1868.

To the Speaker of the House of Representatives:

Sir—I herewith transmit a report of the Adjutant General of the State of Missouri, including his reports as Acting Quartermaster General and Acting Paymaster General, made in compliance with House resolution, adopted January 24, 1868.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 11, 1868

From the Journal of Executive Business, pp. 89-90

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 11, 1868.

To the President of the Senate:

Sir—I have appointed and respectfully ask the Senate to confirm Otto Landemann as a member of the Board of Police Commissioners of St. Louis.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 13, 1868

From the Journal of Executive Business, p. 90

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 13, 1868.

To the President of the Senate:

Sir—I have appointed the following named gentlemen as members of the board of managers of the State Lunatic Asylum:

Dr. Wesley Humphreys of Audrain Co.

William H. Thomas of Callaway Co.

Charles H. Hughes of Audrain Co.

John P. Clark of Audrain Co.

Dr. Charles W. Stevens of St. Louis Co., and respectfully ask the Senate to confirm the said appointments.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 14, 1868

From the Journal of Executive Business, p. 91

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 14, 1868.

To the President of the Senate:

Sir—I hereby nominate and ask the advice and consent of the Senate to commission the following named persons trustee of the Missouri institution for the Education of the blind.

Samuel J. Nichols of St. Louis.

Irwin Z. Smith of St. Louis.

Stephen Ringly of St. Louis.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

FEBRUARY 28, 1868

From the Journal of the Senate, p. 325

EXECUTIVE DEPARTMENT, STATE OF MISSOURI, CITY OF JEFFERSON, February 28, 1868.

To the President of the Senate:

Sir—I have this day approved joint resolution paying the managers in the matter of the address for the removal of Judge Moody, which resolution originated in the Senate.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 21, 1868

From the Journal of Executive Business, pp. 92-93

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 21, 1868.

To the President of the Senate:

Sir—I ask the advice and consent of the Senate to the appointment of the following named persons as Superintendents of Registration for the following named Senatorial districts:

For the 2nd Senatorial District.....Oscar Kirkham
For the 3rd Senatorial District.....Anthony Harsells
For the 4th Senatorial District.....Anson B. Mills
For the 6th Senatorial District.....Francis M. McGinnis
For the 7th Senatorial District.....Charles F. Mayo
For the 8th Senatorial District.....David Wells
For the 9th Senatorial District.....L. M. Conklin
For the 10th Senatorial District.....Wm. H. Maertens
For the 11th Senatorial District.....Dan. M. Draper
For the 14th Senatorial District.....Thomas Phelan
For the 15th Senatorial District.....Henry Berry

For the 16th Senatorial District.....M. G. McGregor
For the 17th Senatorial District.....Bacon Montgomery
For the 20th Senatorial District.....A. F. Lewis
For the 22nd Senatorial District.....Horace Wilcox
For the 23rd Senatorial District.....Samuel A. Reppy
For the 28th Senatorial District.....Andrew P. McKee
For Saint Louis County..... Edward Augustine

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 21, 1868

From the Journal of Executive Business, pp. 93-94

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 21, 1868.

To the President of the Senate:

Sir—I ask the advice and consent of the Senate to the appointment of the following named persons as Superintendents of Registration for the following named districts.

For the Twelfth district.....Wm. T. Kays
For the Eighteenth district.....E. H. Benhem
For the Twenty-sixth district.....Charles F. Bruihl
For the Twenty-fourth district.....James F. Foster
For the Nineteenth district.....James Abbott

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 21, 1868

From the Journal of the Senate, pp. 528-529

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 21, 1868.

To the President of the Senate:

Sir—I am in receipt of a resolution of the Senate inquiring "why Senate bill No. 30, entitled an act to carry into effect section 24 of article 6 of the constitution of the State of Missouri, in relation to fees and emoluments of the clerks of courts, has not been delivered to the Secretary of State as a law of the State."

I respectfully state that the bill mentioned was not approved by me, and remained ten days, Sundays excepted, in my hands. The constitution does not designate a time in which, under such circumstances, the Governor shall deposit a bill with the Secretary of State. Chapter 5, General Statutes, "of the authentication, taking effect, and repeal of statutes," which in the second section directs the manner in which such bills shall be certified, does not direct the time in which such bills shall be delivered to the Secretary of State, and it was, therefore, my opinion that such delivery of bills to the Secretary of State at the close of the session would be sufficient. My attention has since been directed to chapter 7, "of the custody, publication, and distribution of the laws and journals," the first section of which chapter would fairly imply that immediately after the expiration of ten days, during which a bill may have remained with the Governor, he should deliver it to the Secretary of State, and upon that construction of the law I shall hereafter act.

The bill mentioned in the resolution of the Senate has been delivered to the Secretary of State, with all other bills which I have withheld my approval.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 23, 1868

From the Journal of Executive Business, p. 93

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 23, 1868.

To the President of the Senate:

Sir—I ask the advice and consent of the Senate to the following named persons as Superintendents of Registration for the following named Senatorial districts.

For the 5th Senatorial District.....Robert S. Moore
For the 13th Senatorial District ....Perry D. Popeno
For the 27th Senatorial District.....Marshal W. Johnson
For the 25th Senatorial District.....Thomas S. Rhoades

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 23, 1868

From the Journal of Executive Business, p. 94

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 23, 1868.

To the President of the Senate:

Sir—I ask the advice and consent of the Senate to the appointment of the following named persons as Superintendents of Registration for the following named Senatorial districts.

For the twenty-first district.....J. K. Kild
For the first district.....John H. Davis

Respectfully,

THO. C. FLETCHER.

TO THE SENATE

MARCH 24, 1868

From the Journal of the Senate, pp. 530-531

EXECUTIVE DEPARTMENT, STATE OF MISSOURI, CITY OF JEFFERSON, March 24, 1868.

To the President of the Senate:

Sir—In compliance with a resolution of the Senate, I herewith return a bill entitled an act to establish a court of common pleas within and for the county of Macon, State of Missouri.

Respectfully,

THO. C. FLETCHER.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

JANUARY 11, 1869

From the Journal of the Senate, p. 42

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 11, 1869.

Senators and Representatives:

I herewith transmit the report of Brevet Brigadier General Samuel P. Simpson, as Adjutant General, Acting Quartermaster General and Acting Paymaster General of Missouri, for the years 1867 and 1868.

Respectfully,

THO. C. FLETCHER.

PROCLAMATIONS

ON EMANCIPATION

JANUARY 11, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 143-144

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MO.,
January 11, 1865.

It having pleased Divine Providence to inspire to righteous action the Sovereign People of Missouri, who through their Delegates in Convention assembled, with proper legal authority and solemnity, have this day ordained.

That hereafter in this State there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall be duly convicted; and all persons held to service or labor as slaves, are hereby declared free.

Now therefore by authority of the supreme power vested in me by the Constitution of Missouri:

I Thomas C. Fletcher, Governor of the State of Missouri do proclaim:

That henceforth and forever, no person within the limits of the State shall be subject to any abridgement of liberty except such as the law may prescribe for the common good, or Know any master but God.

In Testimony Whereof I have hereunto signed my name, and caused the Great Seal of the State
(SEAL) to be affixed at the City of Jefferson this Eleventh day of January A. D. Eighteen hundred and Sixty five.

THOMAS C. FLETCHER.

By the Governor

FRANCIS RODMAN, Secretary of State

ON THE RESTORATION OF PEACE AND ORDER

MARCH 7, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 155-156

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MO.,
March 7, 1865.

WHEREAS, there no longer exists, within the State of Missouri, any organized force of the enemies of the Government of the United States, recognized as entitled to the usages of war among civilized Nations; and WHEREAS, The supremacy of the Civil law, is the desire of all good citizens; its protection to those, who obey it, and its infliction of Known and just punishments, on those who violate it, the ends for which Governments are established; and the restoration of its power the sole purpose of the armed forces of the United States and the State of Missouri

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, and Commander in Chief of the Missouri Militia, desiring to give to every Citizen an opportunity of uniting with the Civil Authorities for the restoration of peace and order on the basis of the administration of Justice as embodied in the Civil law, before the Commencement of active operations by the Military force now being organized to effect the common Object, do invite all men, who have not made themselves infamous by crime, to unite together for the support of the Authority of the Officers of the law, and to make common cause against whomsoever shall persist in making, aiding or encouraging any description of lawlessness.——and I request hereby all judges and justices of the peace, within the State of Missouri, to hold regular terms of their Courts, and to exercise all the authority in them, vested by law for the protection of the lives and property of the people and the preservation of the peace of the State, and to these ends not only to exercise the authority, conferred upon them by the laws of the State, but also, when necessary, to use the power given them, under the National Statutes, to arrest and bind to keep the

peace or for trial, or commit to jail, as the circumstances may require, all offenders against the Criminal laws of the United States Courts; and all judicial and ministerial officers of the law are requested to apply to the nearest military district or post commanders for such escort, guards or military force as may be necessary to enable them to effect these objects.

In Testimony Whereof I Thomas C. Fletcher, Governor as aforesaid, have hereunto set my hand, and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson, this seventh day of March in the year
(L.S.) of our Lord, One thousand eight hundred and sixty five of the Independence of the United States the eighty ninth, and of the State of Missouri the forty fifth.

THOS. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secy. of State

RECOMMENDING A DAY OF FASTING, HUMILIATION AND PRAYER

MARCH 7, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 182-183

CITY OF JEFFERSON, March 7, 1865.

As an appropriate national expression of the great sorrow overshadowing our country since the late loved and honored Chief Magistrate was stricken down by the coward hand of an assassin instigated and hired by the chiefs of the rebellion which has spread woe and desolation throughout the land and brought mourning to every household, and in conformity with the request of the President of the United States, I, Thomas C. Fletcher, Governor of the State of Missouri, do hereby appoint Thursday, the first day of June, A. D. 1865, and recommend that the same

be set apart as a day of fasting, humiliation and prayer, throughout the State of Missouri; that on that day appropriate services be held in all the churches, and that in contriteness of spirit the people everywhere bow themselves before the throne of Almighty God, and seek forgiveness for our manifold sins as a nation and as individuals, supplicate His sustaining grace in our national affliction, and pray that peace may again reign throughout our borders.

In Testimony Whereof, I, Thomas C. Fletcher, Governor as aforesaid, have hereunto set my hand, and caused to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson, this seventh day of
(Seal) March, in the year of our Lord One thousand Eight Hundred and Sixty Five; of the Independence of the United States the Eighty Ninth; and of the State of Missouri the Forty Fifth.

THO C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secrety of State.

ON A DAY OF THANKSGIVING

APRIL 10, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 166-167

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
April 10, 1865.

WHEREAS an earnest of speedy peace to our war distracted country has been given in the recent successes of the nation's brave army under the guidance and protection of Almighty God; and for this hope of Peace and the early restoration of the authority of the Constitution and laws of the United States over the whole land, it becomes us to give thanks to the Giver of all good;

NOW, THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, do hereby earnestly recommend

that Saturday, the fifteenth day of April instant, be observed throughout Missouri, by all good citizens, as a day of Thanksgiving to God who giveth the victory to Truth and Justice, that on that day the People, regardless of all differences of opinion in the past, meet in their respective places of worship, and unite in religious exercises; that the evening of the day be marked by large assemblies to be addressed by patriotic speakers; and that amid bonfires illuminations and resounding salutes of artillery, they testify their appreciation of the heroism of the Army of the Union in the re-establishment of the national authority in Richmond, the seat of the insurgent power, the capture of the Army of Northern Virginia, and of the manifestation of a disposition on the part of men in authority to stay the effusion of the blood of America's brave men.

In Testimony Whereof, I, Thomas C. Fletcher, Governor as aforesaid have hereunto set my hand and caused to be affixed the Great Seal of
(Seal) the State of Missouri.

Done in the City of Jefferson this tenth day of April, in the year of our Lord one thousand eight hundred and sixty five, of the Independence of the United States the eighty ninth, and of the State of Missouri the forty fifth.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

ON DECLARING CERTAIN COMMISSIONS VACATED

APRIL 15, 1865

From the Register of Civil Proceedings, 1861-1868, p. 171

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 15, 1865.

By virtue of the authority conferred on me by law, I do hereby declare all commissions issued to persons residing

in any of the States or Territories of the United States or foreign countries, as Commissioners of deeds for the State of Missouri prior to the first day of January A. D. Eighteen hundred and sixty five, vacated from and after the fourth day of July next. In all cases where a reappointment is desired a recommendation by one or more of the State officers of the state in which the applicant resides must accompany his application.

In Testimony Whereof I Thos C. Fletcher, Governor of the State of Missouri have hereunto set my hand and caused the Great Seal of the
(Seal) State to be hereunto affixed.
Done at the City of Jefferson this fifteenth day of April A. D. 1865 and of the Independence of the United States the Eighty ninth and of the State of Missouri the forty fifth.

THOS C. FLETCHER.

By the Governor
FRANCIS RODMAN Secretary of State.

OFFERING A REWARD

JUNE 3, 1865

From the Register of Civil Proceedings, 1861-1868, p. 189

WHEREAS our State is still infested with murderers and outlaws, who have heretofore eluded the vigilance of the civil and military authorities and

WHEREAS foremost among them stands one Saml. Helderbrand [Hildebrand] a Notorious Brigand and Murderer who has since the 1st day of June A. D. 1861, killed several citizens of this State and committed numerous robberies and other violations of law, and

WHEREAS this Samuel Helderbrand is still at large committing robberies and murder upon citizens in the Southeast part of this State.

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested do hereby offer a reward of Three hundred dollars, for the arrest and delivery of the body of the said Samuel Helderbrand, either to the civil or military authorities at Pilot Knob or Farmington Missouri.

In Testimony Whereof, I, Thomas C. Fletcher, Governor of the State of Missouri, have hereunto set my hand and caused the Great Seal (Seal) of the State to be affixed. Done at the City of Jefferson, Missouri this third day of June A. D. 1865, of the Independence of the United States the Eighty Ninth and of the State of Missouri the forty fifth.

By the Governor: THO C. FLETCHER.

FRANCIS RODMAN, Sect'y of State.

DECLARING NEW CONSTITUTION ADOPTED

JULY 1, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 194-195

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, July 1, 1865.

WHEREAS on the sixth day of January one thousand eight hundred and sixty five, a Convention of Representatives of the people of the State of Missouri, elected in pursuance of law, assembled in the city of St. Louis for the purpose of amending the Constitution of said State; which Convention did, on the eight day of April in said year adopt a Revised and Amended Constitution for said State.

And WHEREAS, in and by the second section of the thirteenth Article of the said Revised and Amended Constitution it was provided that an election by the qualified voters of this State should be held on the sixth day of June one thousand eight hundred and sixty five at the several

election precincts in this State and elsewhere, for the purpose of ascertaining the sense of the people in regard to the adoption or rejection of the said Constitution, and provision was made in said Section for taking and counting the votes of such qualified voters of this State as should then be absent from the places of their residence, by reason of their being in military service of the United States or of this State, whether they should be in or out of this State

And WHEREAS, in and by the provisions of the said thirteenth Article of the said Revised and Amended Constitution, it was required, that the returns of said election should be certified to the Secretary of State, and that on the first day of July next ensuing said election, the Secretary of State should, in presence of the Governor, the Attorney General or the State Auditor, proceed to examine, and cast up the returns of the votes taken at said election and certified to him including those of persons in the military service; and if it should appear, that a majority of all the votes cast at the said election were in favor of the Constitution, the Governor should issue his proclamation stating that fact and the said Constitution should on the Fourth day of said month of July be the Constitution of the State of Missouri.

And WHEREAS, on the said first day of July, the said Secretary of State did, in presence of the Governor and the State Auditor proceed to examine and cast up the returns of the votes taken at said election and certified to him, including those of persons in the military service; when it appeared upon an accurate casting up of said returns that there were Forty three thousand six hundred and seventy (43670) votes in favor of said Constitution and Forty one thousand eight hundred and eight (41808) votes against said Constitution; and there being therefore a majority of all the votes cast at said election in favor of said Constitution

Now therefore I, Thomas C. Fletcher, Governor of the State of Missouri, in pursuance of the authority vested in me, as aforesaid, do by this my proclamation, declare and make known, that the said revised and amended Constitu-

tion was, at said election, adopted by a majority of the votes cast at said election, and that in pursuance of the provisions therein contained it will take effect as the Constitution of the State of Missouri, on the fourth day of the present month of July.

Given under my hand and the Great Seal of the State of Missouri, at the City of Jefferson on the first day of July, in the year of our Lord one thousand eight hundred and sixty five.

(Great Seal)

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Sec. of State.

MAKING KNOWN THE VOTE ON THE RAILROAD QUESTION

JULY 7, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 197-198

WHEREAS the Representatives of the people of the State of Missouri in Convention assembled did adopt on the tenth day of April A. D. 1865 an ordinance, entitled: "An Ordinance for the payment of Railroad and State indebtedness" and

WHEREAS said ordinance in accordance with its provisions has been submitted to the vote of the people of the State of Missouri on the sixth day of June A. D. 1865, and also to the vote of the qualified voters of this State absent from their residence by reason of their being in military service of the United States or of the State of Missouri, as provided by said ordinance and

WHEREAS the returns of said election were made at the time, under the restrictions and in the manner as prescribed in said ordinance and

WHEREAS in pursuance of said provisions the Secretary of State did on the first day of July A. D. 1865, in the presence of the Governor and the State Auditor proceed to

examine and cast up the returns of the votes taken at said election and certified to him.

NOW, THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, in pursuance of authority in me vested by said ordinance do by this my proclamation, make known, that upon an accurate casting up of said above mentioned returns, there appeared thirty-nine thousand and sixty-seven votes for "Shall the Railroads pay their Bonds? Yes" and twenty thousand nine hundred votes for: "Shall the railroads pay their Bonds? No."

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the (Great Seal) State of Missouri: done at Jefferson City this the seventh day of July in the year of our Lord, 1865 of the Independence of the United States the Ninetieth and of the State of Missouri the Forty fifth.

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Sec. of State.

OFFERING A REWARD

AUGUST 9, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 204-205

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
August 9, 1865.

WHEREAS Benjamin Jones, Alexander Manus and Allen Conner on the night of the eighth of April did in the County of Moniteau and State of Missouri murder ..... Hilderbrand, and

WHEREAS the said Benjamin Jones, Alexander Manus and Allen Conner were arrested and lodged in the Jail of the said County of Moniteau, from whence they were transferred to the jail of the County of Cole, in this State under a change of venue, and

WHEREAS the said Benjamin Jones, Alexander Manus and Allen Conner did escape from the jail of the said County of Cole on the night of the 17th of July A. D. 1865 and have not been arrested since and delivered to the Sheriff of Cole County.

NOW THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law do hereby offer a reward of Two Hundred Dollars for the apprehension and safe delivery to the Sheriff of Cole County, of each and every one of the above named fugitives from justice.

Description of Fugitives.

Benjamin Jones is about five feet six or eight inches high; black hair; black eyes; dark skin; thin visage; high cheek bones; of quick speech. No visible marks recollected, but it is supposed, that he has the initials of his name marked on one of his arms with indelible ink.

Alexander Manus is about five feet eight or nine inches high; light hair and light complexion; light eyes; rather slow in speech; looks down when spoken to; no marks visible.

Allen Conner is about six feet high; with light grey or blue eyes; light complexion; slow in speech; speaks in a long tone; shy, downcast look and rather stoop-shouldered.

In Testimony Whereof, I, Thomas C. Fletcher, Governor of the State of Missouri, have hereunto set my hand and caused the Great Seal of the State to be affixed: done at the City of Jefferson, Mo., this ninth day of August A. D. 1865, of the Independence of the United States the ninetieth and of the State of Missouri the forty-fifth.

(Great Seal)

By the Governor: THO. C. FLETCHER.

FRNCIS RODMAN, Secty. of State.

OFFERING A REWARD

OCTOBER 28, 1865

From the Register of Civil Proceedings, 1861-1868, p. 217

WHEREAS it has come to my knowledge, that one Timothy Bailey of the county of Mississippi in this State has committed numerous robberies and other violations of law, and

WHEREAS the said Timothy Bailey has been indicted by the Grand Jurors of the State of Missouri for the County of Mississippi for the crime of assault with intent to kill one James Glenn and

WHEREAS it is shown by affidavits of reliable citizens, that the said Timothy Bailey did on the fifth day of September A. D. 1864 murder one Turner M. Gardner, a citizen of Mississippi County and also robbed one John A. Gardner of Three hundred and twenty-seven dollars; and

WHEREAS the said Timothy Bailey has so far escaped apprehension and is still at large and it has been reported to me by the civil officers of Mississippi county that he is a desperate character and cannot be apprehended and brought to justice without much trouble and expense.

NOW, THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority vested in me by law, do hereby offer a reward of Two Hundred and Fifty dollars for the arrest and delivery of the body of the said Timothy Bailey to the Sheriff of the County of Mississippi in the State of Missouri.

In Testimony Whereof I have hereunto set my hand and caused the Great Seal of the State of Missouri to be affixed: done at the City of Jefferson this Twenty-eighth day of October

(Seal) One Thousand Eight Hundred and Sixty-five of the Independence of the United States the ninetieth and of the State of Missouri the forty-fifth.

By the Governor: THO C. FLETCHER.

FRANCIS RODMAN, Secty. of State.

ON THANKSGIVING

NOVEMBER 15, 1865

From the Register of Civil Proceedings, 1861-1868, p. 220

The coming month will close a year memorable in the annals of our country, and full of rich blessings, for which we should appropriately acknowledge our indebtedness to the Providence of God.

The nation has triumphed in a struggle for its existence. The oppressed have been given liberty. The hallowed scenes of peace have succeeded the horrors of civil war, and while we mourn our dead heroes, the living ones are returned to us.

Abundant harvests have crowned the husbandman's labors; the privileges of education and the benign influences of Christianity have been continued; progress has been made in art and science; we have been exempt from mortal plagues; prosperity has blessed the marts of commerce; we are at peace with all the world; and the future is replete with promises as the present with blessings. Desiring to perpetuate the good customs of our fathers, I hereby designate

Thursday, the seventh day of December, proximo, to be observed in the State of Missouri as a day of public thanksgiving and devout remembrance. I recommend that the people abandon for the day their usual avocations, and, assembling in their places of worship, engage in such religious solemnities as to them shall seem expressive of the feelings of grateful hearts, and while we thus recognize and acknowledge the goodness of God, and render thanks and praise, let us not forget to share our abundance with the widow and orphan, and him who bears decrepitude for the nation's sake.

In Testimony Whereof, I, Thomas C. Fletcher, Governor of the State of Missouri, have hereunto set my hand, and caused to be affixed the Great
(L. S.) Seal of the State, at the City of Jefferson, this fifteenth day of November, in the year of our Lord 1865, of the Independence of the United States of America the ninetieth, and of the State of Missouri the forty-fifth.

By the Governor: THO. C. FLETCHER.
FRANCIS RODMAN, Secty. of State.

OFFERING A REWARD

JANUARY 9, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 228-229

WHEREAS, it has come to my knowledge that several bills of indictment have been found by the Grand Jurors of the State of Missouri for the County of Dent against one James Jamison for committing the crimes of Grand Larceny and Arson and

WHEREAS it appears from an order of the County Court of Dent County that the said James Jamison has broken from the custody of the lawful authorities and is still at large in this State.

NOW, THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do hereby offer a reward of two hundred and fifty dollars for the apprehension and delivery of the body of the said James Jamison to the Sheriff of the County of Dent in the State of Missouri.

Description of the fugitive:

James Jamison is about six feet high, rather stoop shouldered and will weigh one hundred and sixty pounds or upwards; complexion fair, and his face and body marked with smallpox; nose large, rather aquiline; eyes blue or hazel; hair light; he smokes a good deal and is of taciturn

disposition; has been shot several times, and marks and scars will be found on his back, one shoulder and thigh.—

In Testimony Whereof I have hereunto set my hand and caused the Great Seal of the State of Missouri to be affixed;

Done at the city of Jefferson this ninth day of
(L. S.) January A. D. 1866, of the Independence of the United States the ninetieth and of the State of Missouri the forty-sixth.

By the Governor: THO C. FLETCHER.

FRANCIS RODMAN, Secty. of State.

OFFERING A REWARD

JANUARY 10, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 229-230

WHEREAS on the 14th day of December A. D., 1865 one Lavander C. Hendrix of Dallas County, Missouri, did shoot and kill Mr. James Baker and

WHEREAS the said Lavander C. Hendrix has so far eluded the vigilance of and apprehension by the legal authorities and is still at large in this State—

NOW, THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue and authority in me vested by law, do hereby offer a reward of Two hundred and fifty dollars for the apprehension and delivery of the body of the said Lavander C. Hendrix to the Sheriff of the County of Dallas in the State of Missouri.

Description of the Fugitive:

Lavander C. Hendrix is about five feet and ten inches high and twenty-one years of age; hair dark; eyes grey; of dark complexion, and is very heavy set—

In Testimony Whereof, I have hereunto set my hand and caused the Great Seal of the State of Missouri to be affixed:

Done at the City of Jefferson this tenth day of
(L. S.) January A. D. 1866, of the Independence of the United States the ninetieth and of the State of Missouri the forty sixth.

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Secty. of State.

ON THE SALE OF RAILROADS

JANUARY 15, 1866

From the Appendix of the Journal of the Senate, pp. 581-583

WHEREAS, by an act of the Legislature of the State of Missouri, passed and approved on the 18th day of February, 1865, entitled "an act to effect a compromise between the State and the Atchison and St. Joseph Railroad Company and the Weston and Atchison Railroad Company, and to secure to the State the payment of certain bonds issued by the State for the construction of the Platte County Railroad, and to sell the Platte Country Railroad, and to extend the West Branch of the North Missouri Railroad to the Iowa line," it was by the first section thereof provided that the Atchison and St. Joseph Railroad Company and the Weston and Atchison Railroad Company should pay to the State of Missouri, at the office of the Treasurer of the State, on the first day of January, in the year of our Lord eighteen hundred and sixty-six, the sum of one hundred thousand dollars; on the first day of January, in the year of our Lord eighteen hundred and sixty-eight, one hundred thousand dollars; on the first day of January, in the year of our Lord eighteen hundred and seventy-one, one hundred thousand dollars, and on the first day of January, in the year of our Lord eighteen hundred and seventy-five, one

hundred and thirty-four thousand dollars, with interest on said several sums from the first day of January, in the year of our Lord eighteen hundred and sixty-five, until they should respectively be paid, at the rate of six per centum per annum, the interest to be paid semi-annually, on the first day of January and the first day of July in each year, at the office of the Treasurer of State; provided, however, that said companies, or either of them, should have the right, at any time before said several sums shall become due, to pay all or any part of said debt and interest, or both, in money or in any of the bonds of the State then outstanding and bearing interest at a rate of not less than six per centum per annum, or in interest coupons of any such bonds.

And, WHEREAS, it was further provided in and by said act, that within thirty days from the passage of said act the stockholders of the Atchison and St. Joseph Railroad Company and of the Weston and Atchison Railroad Company were authorized to accept or reject the provisions of said act by a vote of a majority in interest of such stockholders; and for that purpose the presidents of said companies should, within ten days after the passage of said act, call a meeting of the stockholders of their respective companies, giving not less than ten days' notice of the time and place of such meeting in two newspapers, one published in St. Joseph and one in Weston, as they may or might select respectively for the purpose. That if such acceptance should be made by said stockholders and approved by the board of directors of the respective companies, a copy of such acceptances and its ratification should be duly certified by the president and attested by the secretary, under the seal of the respective companies, and should be filed in the office of the Secretary of State of Missouri.

And, WHEREAS, it was further provided in and by said act, that whenever the acceptances of said companies, ratified as aforesaid, should be filed in the office of Secretary of State as therein provided, that the suit then pending and all proceedings had by the State against said companies, or either of them should be dismissed at the costs of the

defendants, and that all cars, engines and other property now in possession of the State, and lately held or claimed by said companies, or by Davis Carpenter, Jr., should be delivered to said companies, and all the right, title and interest of said State in and to said roads, and to such property, should vest in said companies; the said Atchison and St. Joseph Railroad Company to have the road from a point on the Missouri river opposite to the city of Atchison, and the Weston and Atchison Railroad Company to have all that part of the road south of such point. And that said companies should own the road jointly from Kansas City to Weston and from St. Joseph to the Iowa line; provided, however, that such roads, their franchises and their appurtenances, together with the cars, engines, rolling stock and other property above and before named, with all such other rolling stock as said companies, or either of them, now have, or may hereafter have, should be subject to the mortgage in said act provided as a first lien thereon.

And, WHEREAS, it was amongst other things provided in and by said act, that the said Atchison and St. Joseph Railroad Company, and Weston and Atchison Railroad Company, should have the Platte Country Railroad from Kansas City to Weston, and from its intersection with the Hannibal and St. Joseph Railroad in the city of St. Joseph to the Iowa line, and in consideration thereof should pay to the State the sum of two hundred thousand dollars on the first day of January, 1866, and interest thereon from the first day of January, 1865, at the rate of six per centum per annum, and the sum of two hundred and thirty-four thousand dollars on the first day of January 1889, with interest thereon at the rate of six per centum per annum from the first day of January, 1865, payable semi-annually, on the first days of July and January in each year; provided, however, that all or any part of such sums above named might be paid in any of the bonds of the State outstanding, bearing interest at not less than six per centum per annum, or in interest coupons of said bonds.

And, WHEREAS, it was further provided in and by said act, that when the acceptances of such companies, with the ratification of the directors, should be filed in the office of the Secretary of State, that they should be deemed and held a mortgage in law upon the roads from Kansas City to the Iowa line, with their appurtenances, and upon all of the rolling stock of said companies and each of them, and upon all of the rolling stock and other property then in possession of the State and claimed by Davis Carpenter, Jr., to secure the payment of the debt in the first section of said act, provided and created as aforesaid, and of all interest which might accrue thereon, and should authorize and empower the Governor at any time, upon the failure of said companies to pay the interest or principle of said debts, as the same may become due, without any proceedings or process at law or in equity, to take possession of said roads, appurtenances, rolling stock and other property and to appoint agents to use and operate the same, and to apply the proceeds thereof to the payment of the interest and principal of said debt until said road could be sold as therein provided. And it was further in said act provided, that should said companies at any time make default in the payment of the interest or of the principal of said debt, that the Governor of Missouri should have power to sell said roads, the franchises, appurtenances, the rolling stock and other property in said act mentioned, at public auction, to the highest bidder, for cash or the bonds of the State, as in said act named, first giving three months' notice of the time, place and terms of sale, and property to be sold, by advertisement published in some newspaper published in the city of St. Joseph. The proceeds of such sale to be applied to the payment of the costs thereof, then to the payment of the principal and interest of the said debt created by said act, and the remainder, if any, to said companies.

And, WHEREAS, the stockholders of the said Atchison and St. Joseph Railroad Company and the Weston and Atchison Railroad Company did, each within thirty days from the passage of said act, accept the provisions thereof

by a vote of a majority in interest of the stockholders of each of said companies respectively, in pursuance of the provisions of said act; and, whereas, said acceptances so made by the said stockholders of each of said companies were submitted to and approved by the respective boards of directors of each of said companies, which said approval and ratification of said respective companies were by the president thereof certified and attested by the secretary under the seal of the respective companies, and filed in the office of the Secretary of State, as is provided by said act.

And, WHEREAS, the suit pending against said companies, or either of them, and all proceedings had by the State therein were duly dismissed, and all the cars, engines and other property which was at the time in possession of the State, and lately held and claimed by said companies and by Davis Carpenter, Jr., was, in pursuance of said act, delivered to said companies, and all of the right of the State in said roads, with the possession thereof, delivered to said companies.

And, WHEREAS, the Governor of the State of Missouri did, in pursuance of said act, cause to be paid to said companies all receipts and proceeds from the use of said road during the possession thereof by said State after deducting therefrom the expenses as is in said act provided.

And, WHEREAS, the said contract and agreement for the conditional sale of said railroad from Weston to Savannah, was made on the representation that the parties then and now claiming to represent the majority of the stock of the Weston and Atchison and Atchison and St. Joseph Railroad Companies were *bona fide* stockholders of said companies, whose interests were to be protected thereby; which said fact is now represented to be erroneous and untrue, and the said conditional sale of said railroads was without consideration, and the time for the payment of the said sum of three hundred thousand dollars, which was to be paid on the first day of January, 1866, was of the essence of said agreement in said act named.

And, WHEREAS, the said Atchison and St. Joseph Railroad Company and Weston and Atchison Railroad Company have both and each of them failed and refused to pay to the State of Missouri, at the office of the Treasurer of the State, on the first day of January, in the year of our Lord eighteen hundred and sixty-six, the said sum of one hundred thousand dollars, or the said sum of two hundred thousand dollars; nor have they paid any or either of said sums, or any part thereof, or the interest thereon, or any part thereof, either in the bonds of the State or otherwise, as they were required to do by virtue of said act, as aforesaid; but to pay said sums, or either of them, or any part thereof said companies have wholly failed and made default.

THEREFORE, in consideration of the premises, and by virtue of the power vested in me by said act of the legislature as aforesaid, I, Thomas C. Fletcher, Governor of the State of Missouri, do hereby give notice that I will proceed, on the twenty-first day of April, in the year eighteen hundred and sixty-six, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of said day, at the court house door in the city of St. Joseph, in Buchanan county, in the State of Missouri, to sell at public auction, to the highest bidder, for cash in hand, the said roads, the franchises, appurtenances, the rolling stock and other property in said act mentioned; that is to say, the road bed and railroad of what is called and known as the Weston and Atchison Railroad, and the franchises and appurtenances thereto belonging; the road bed and railroad of what is known as the Atchison and St. Joseph Railroad, and the franchises and appurtenances thereto belonging or appertaining; and the road bed and railroad of what is called and known as the Platte Country Railroad, and the franchises and appurtenances thereto belonging; together with all of the rolling stock and other property belonging to each, either or all of said railroads or railroad companies, which is referred to in said act of the legislature, and which consists in part of depot grounds and depot buildings, machine shops, offices and office furniture, warehouses,

locomotives, tenders, baggage cars, passenger cars, box cars, platform cars, hand cars, and a general variety of tools and implements used in running and operating railroads. All of which will be sold for the purpose of satisfying the whole of the debt created by said act of the legislature, and in conformity to the provisions thereof.

THOMAS C. FLETCHER,
Governor of the State of Missouri.

OFFERING A REWARD

FEBRUARY 9, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 236-237

WHEREAS, on the night of the twenty-sixth of October, A. D. 1865, William Guthrie, John Weaver and James Wycoff did murder A. F. Moses, a citizen of Sedalia in the county of Pettis, and

WHEREAS the said William Guthrie, John Weaver and James Wycoff have fled from justice,—

THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three hundred dollars for the apprehension and delivery to the Sheriff of Pettis county of each and every one of the above named fugitives from justice.

Description of Fugitives:

William Guthrie is about twenty-two years of age, of light complexion, light hair, blue eyes, smooth face, stoop shouldered, about five feet and six inches in height and weighs about one hundred and fifty pounds;

John Weaver is about twenty two years of age, of dark complexion, black hair and mustache, black eyes, height five feet and eight inches, weighs about one hundred and forty pounds;—

James Wycoff is about twenty years of age, of dark complexion, black hair and eyes, smooth face, straight form, about five and one-half feet high and weighs about one hundred and forty pounds.

All when last seen wore very long hair.

In Testimony Whereof, I, Thomas C. Fletcher, have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: done
(L. S.) at the City of Jefferson, this ninth day of February, A. D. 1866, of the Independence of the United States the ninetieth and of the State of Missouri the forty sixth.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

FEBRUARY 23, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 240-241

WHEREAS, William Ray, Hiram Green Townsend and Caleb Fisher, did on the seventeenth day of February A. D. 1866, murder Thomas Drummonds, a citizen of Versailles in the county of Morgan, and

WHEREAS the said William Ray, Hiram Green Townsend and Caleb Fisher have fled from justice and are still at large,

NOW THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three hundred dollars for the apprehension and delivery to the Sheriff of Morgan county, of each and every one of the above named fugitives from justice.

Description of Fugitives:

William Ray is twenty three years of age, five feet and nine inches in height, with sandy hair and blue eyes. One arm not properly set after fracture.

Hiram Green Townsend is nineteen years of age, nearly six feet high, of dark complexion, with black hair and eyes;

Caleb Fisher is twenty four years of age, height five feet and ten inches, rather spare made, of dark, swarthy complexion, with black hair and eyes.

In Testimony Whereof, I, Thomas C. Fletcher, have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:
(L. S.) Done at the City of Jefferson, this twenty-third day of February in the year of our Lord one thousand eight hundred and sixty-six, of the Independence of the United States the ninetieth, and of the State of Missouri the forty-sixth.

By the Governor: THO. C. FLETCHER.
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

FEBRUARY 28, 1866

From the Register of the Civil Proceedings, 1861-1868, pp. 242-243

WHEREAS William R. Brown did on the eleventh day of February, A. D. 1865, at Jacksonville in the county of Randolph in the State of Missouri, murder one William H. Penny, and

WHEREAS the said William R. Brown has fled from justice and is still at large.

Now THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do hereby offer a reward of Three hundred dollars for the apprehension and

delivery to the Sheriff of Randolph County of the aforesaid fugitive from justice.

Description of Fugitive:

William R. Brown is about thirty six years old, five feet and nine inches in height, of dark complexion with dark hair and grey or yellowish eyes and weighs about one hundred and sixty pounds. He was formerly a horse trader, is rather quick spoken, boisterous and easily excited and has a downcast look. Has been wounded in one leg.

In Testimony Whereof I, Thomas C. Fletcher, have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of Jeffe son this Twenty-eighth day of February in the year of our Lord one thousand eight hundred and sixty-six, of the Independence of the United States the ninetieth and of the State of Missouri the forty-sixth.

By the Governor: THOS. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

MARCH 12, 1866

From the Register of Civil Proceedings, 1861-1868, p. 245.

WHEREAS it has come to my knowledge that one Frank Gregg has been indicted by the Grand Jurors of the State of Missouri for the county of Johnson for the murder of William Evans, and also that one Archie Clements has been indicted by the Grand Jurors of the State of Missouri for the county of Johnson for various murders and other violations of law committed at Kingsville in the county of Johnson in the month of July A. D. 1865, and

WHEREAS the said Frank Gregg and Archie Clements have fled from justice and are still at large,

NOW THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do hereby offer a reward of Three hundred dollars for the apprehension and delivery of each and every one of the above named fugitives from justice to the Sheriff of the county of Johnson.

Description of Fugitives:

Frank Gregg is about twenty-five years of age, six feet in height and of dark complexion with black eyes and dark hair and whiskers;

Archie Clements is about twenty-eight years old, about five feet eight inches high, rather thin visage, with black hair, eyes and whiskers.

In Testimony Whereof, I, Thomas C. Fletcher have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the city of Jefferson this twelfth day of March
(Seal) in the year of our Lord one thousand eight hundred and sixty-six, of the Independence of the United States the ninetieth, and of the State of Missouri the forty-sixth.

By the Governor: THO. C. FLETCHER.
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

APRIL 11, 1866

From the Register of Civil Proceedings, 1861-1868, p. 251

WHEREAS Abner Robertson, alias Dick Robertson, did on the twenty first day of January, A. D. 1866, in the County of Atchison in the State of Missouri, deliberately murder one Lambert Johnson, and

WHEREAS William R. Robertson, did on the twenty-third day of March, A. D. 1866, in the County and State aforesaid, murder one Samuel A. Hunter, and

WHEREAS the said Abner Robertson and William R. Robertson have fled from justice and are still at large.

NOW THEREFORE, I, George Smith, acting Governor of the State of Missouri, by virtue of authority in me vested by law, do offer a reward of Two Hundred Dollars for the apprehension and delivery to the Sheriff of Atchison County of each and every one of the above named fugitives from justice.

Description of Fugitives:

Abner Robertson—better known as Dick Robertson—is about twenty two years of age, about five feet and ten inches in height, eyes light hazel, hair light brown, face rather round and full, altogether rather heavy set and weighs about one hundred and eighty pounds. Is supposed to have fled either to Vernon county, Missouri or Bourbon county, Kansas;

William R. Robertson is about thirty-eight years of age, between five feet, ten inches and six feet high, of light complexion, with blue eyes and sandy hair. Has lost two fingers of his left hand and parts his hair in the middle, and although he can neither read nor write, he is naturally shrewd.

In Testimony Whereof I, George Smith, have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of Jefferson, this eleventh day of
(L. S.) April in the year of our Lord one thousand eight hundred and sixty-six of the Independence of the United States the Ninetieth and of the State of Missouri the forty-sixth.

GEORGE SMITH,
Acting Governor.

By the Governor:

FRANCIS RODMAN, Secretary of State.

RECOMMENDING A DAY OF FASTING, HUMILIATION AND PRAYER

APRIL 11, 1866

From the Register of Civil Proceedings, 1861-1868, p. 252

In view of our daily dependence for every blessing of life upon an overruling and allwise Providence and of the innumerable ills and calamities that every beset our pathways as individuals, States and nations, it is a high and sacred duty to humble ourselves, from time to time, and while acknowledging our unworthiness and our obligations to the Supreme Being, invoke his forgiveness and continued favor.

A fearful pestilence is raging in other lands and may soon be spread among our own people. From this, as well as from all civil dangers and troubles, it becomes us to supplicate that we be spared by the averting hand that guided the children of Israel through the Red Sea into the Promised Land, and that hath at all times led and protected those nations that forget not God.

THEREFORE I, George Smith, acting Governor of the State of Missouri, do hereby designate Thursday, the twenty-sixth day of April instant, as day of fasting, humiliation and prayer; and I recommend to the people of this commonwealth, that on that day, dispensing with their usual secular avocations, they unite together in their accustomed places of public worship, and in humiliation of soul and contrition of spirit, acknowledge our manifold sins and transgressions as a people; implore the mercy of Almighty God, and ask a continuance to us of the temporal blessings hitherto vouchsafed us; invoke for the constituted authorities of the land such direction as will inspire acts calculated to secure to every person within the limits of our common country the enjoyment of the blessings of liberty and the guarantees of impartial justice; beseech that war, pestilence and famine may be turned from us; entreat that our people may be

embued with a spirit of strict obedience to law, in order that fraternal feeling may be restored, and peace and quiet reign throughout the land; and especially supplicate the Divine favor in behalf of the widows and orphans whom the calamities of a long civil war have left desolate.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of (L. S.) Jefferson, this eleventh day of April, in the year of our Lord one thousand eight hundred and sixty six; of the Independence of the United States the Ninetieth, and of the State of Missouri the Forty-sixth.

GEO. SMITH,
Acting Governor.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

MAY 5, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 256-257

WHEREAS William T. Matthews, James G. Matthews and ..... Sweeney did on the seventeenth day of April, A. D. 1866, in the County of Miller and State of Missouri, murder B. F. Locke, and

WHEREAS the said William T. Matthews, James G. Matthews and ..... Sweeney have fled from justice and are still at large,

NOW THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of each and every one of the aforementioned fugitives from justice to the Sheriff of Miller County.

Description of Fugitives:

William T. Matthews is about twenty four years old; five feet and ten or eleven inches high; of dark complexion with black hair, which he wore rather long; eyes black, blinks considerably when talked to. He wears a tuft of hair on his chin, and had on when last seen a blouse and black hat;

James G. Matthews is about twenty years old; smooth face; of dark complexion with black hair and eyes; about five feet and eight inches high, and had on, when last seen, a black hat and red uniform shirt.

———— Sweeney is about twenty five years of age; five feet and seven inches high; of dark complexion with black hair and beard, and wore when last seen a greyish coat.

They are supposed to be making for Kansas.

In Testimony Whereof, I, Thomas C. Fletcher, have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

(L. S.) Done at the City of Jefferson this fifth day of May, A. D. 1866; of the Independence of the United States, the Ninetieth and of the State of Missouri, the Forty sixth.

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

MAY 18, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 258-259

WHEREAS William Stowe did on or about the fourth day of October, A. D. 1865, in the County of Cedar and State of Missouri, murder John H. Painter, and

WHEREAS the said William Stowe has fled from justice and is still at large—

NOW THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by

virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the aforesaid fugitive from justice, to the Sheriff of Cedar County.—

Description of Fugitive:

William Stowe is about twenty years of age and about five feet and ten inches high; complexion rather dark, hair dark, full and round face——

In Testimony Whereof, I, Thomas C. Fletcher have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.——

(L. S.) Done at the City of Jefferson this eighteenth day of May A. D. 1866; of the Independence of the United States the Ninetieth and of the State of Missouri, the Forty-sixth.

By the Governor: THOMAS C. FLETCHER.

FRANCIS RODMAN, Secy. of State.

OFFERING A REWARD

JUNE 13, 1866

From the Register of Civil Proceedings, 1861-1868, p. 263

WHEREAS John Hobbs, charged with the crime of Burglary and Robbery, Samuel White, charged with the crime of Grand Larceny and Frank Henderson, charged with the crime of Grand Larceny, were confined in the jail at Gallatin, Daviess County and State of Missouri, awaiting trial for said offences, and

WHEREAS the said John Hobbs, Samuel White and Frank Henderson have violently effected their escape from said jail and are now at large——

NOW THEREFORE, I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of One Hundred Dollars for the apprehension of each and every one of the aforementioned fugitives from justice to the Sheriff of Daviess County.—

Description of Fugitives:

John Hobbs is about twenty-eight years of age, five feet and ten inches in height, light complected, light hair, rather quick spoken and had on a dark colored satinet coat, walnut colored jeans pants and a light colored felt hat.

Samuel White is about twenty-three years old, five feet and seven inches high, dark hair and complexion and had on jeans clothes of a mixed color.

Frank Henderson, alias Frank Jacob, is twenty-six years of age, about five feet and ten inches high, rather sparely built, with sandy whiskers and large weak eyes, and had on pepper and salt colored cassimere pants, dark cloth vest, black cloth coat and small black hat.——

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of (L. S.) the State of Missouri. Done at the city of Jefferson, this thirteenth day of June, A. D. 1866; of the Independence of the United States the Ninetieth and of the State of Missouri the Forty-sixth.

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN.

OFFERING A REWARD

AUGUST 1, 1866

From the Register of Civil Proceedings, 1861-1868, p. 270

WHEREAS Anthony Wright, George Crawford, Richard Ketchen, Nathan Allen and .....Wilson of Phelps County, did in the spring of 1865, murder Capt. Wm. Connor, Albert Harrison and several other citizens and commit various other depredations in violation of law and order, and

WHEREAS the said Anthony Wright, George Crawford, Richard Ketchen, Nathan Allen and ..... Wilson have hitherto evaded the law and still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery to the Sheriff of Miller County, of each and every one of the above named fugitives from justice.——

In Testimony Whereof I, Thomas C. Fletcher, have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri;
(L. S.) Done at the City of Jefferson, this first day of August in the year of our Lord one thousand eight hundred and sixty six, of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-sixth.

By the Governor: THO. C. FLETCHER.
FRANCIS RODMAN, Secretary of State.

TO THE PEOPLE OF MISSOURI

AUGUST 16, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 272-274

WHEREAS through the conduct of evil disposed persons, the peace of the State of Missouri is threatened by evidence of purposes to disregard the Constitution and laws, and defy the rightfully constituted authorities; and

WHEREAS the good order and continued prosperity of the State are dependant upon the co-operation of law-abiding citizens of all divisions of political opinion;—

Therefore, to the end that the people may be again reminded of their duties as citizens, and of the obligations and responsibilities of the Chief Magistrate, in whom is by the fundamental law, reposed the supreme executive power of the State, I, Thomas C. Fletcher, Governor of the State of Missouri, do hereby issue this my solemn proclamation, declaring:

1. That the combined power of the National and State Governments will be used to enforce obedience to the laws

of the nation and the State, until such laws are modified or repealed in the constitutional and legal manner, or until they are declared inoperative and void by a court of competent jurisdiction, by judgment or decree duly and officially promulgated.

2. That the Constitution of the State of Missouri, adopted by the State Convention in 1865, and ratified by the votes of a majority of persons voting on the sixth day of June, 1865, is the supreme law of the State.

3. The Registration of Voters must be made according to the act of the General Assembly of the State of Missouri entitled: "An act to provide for the registration of voters," approved December 16th, 1865, and the act supplementary thereto, approved March 12th, 1866. Its provisions must be adhered to by the officers appointed under it, and the election must be conducted in conformity to its requirements, and such election must be free and open, without threat or violence.

4. The annual enrollment of the militia will be made of all the able-bodied men of the several counties, in strict conformity to the provisions of the ordinance of the State Convention, entitled: "An ordinance for the organization and government of the Missouri militia," adopted on the 8th day of April, 1865, and the organization will be by municipal townships and counties, without reference to political status or opinions. The volunteer militia organizations will be merged into the general enrollment so made. The necessary orders to carry out these objects will be issued by me as Commander-in-Chief of the militia, through the Adjutant-General.

5. No person shall be arrested or molested in person or property except by the parties and in the manner authorized by the laws of the United States or this State. All civil officers charged with the execution of criminal process must, when necessary, summon a sufficient posse to enable them to make arrest, and the people are reminded of their duty as citizens to respond promptly to such summons. In the event of resistance or threatened resistance to the officer,

and a failure on his part, after proper effort to secure the assistance of a sufficient posse, he will call on the nearest commanding officer of a company or platoon of militia to aid him, and will immediately notify the Governor of the facts.

6. Armed men must not appear at the polls, or at any peaceful assemblages, unless by order of the Governor, or of the Department Commander on request of the Governor when the preservation of the peace and the safety of the officers of the law require, in the opinion of the Governor, the presence of an armed force.—

7. All good men, of all parties, who love peace and desire the prosperity and happiness of the people of the State, are invited and earnestly urged to aid the constituted authorities in maintaining good order, and in the enforcement of all the laws for the protection of the good and the punishment of evil-doers, and for that purpose they are entreated to communicate direct to the Governor all violations of law, all derelictions of duty on the part of officers, and all instances of neglect or refusal on the part of the people of any community to respond to the call of civil officers. And the people are besought to seek their own good in a total disregard of the malicious and reckless utterances of unauthorized and irresponsible persons who are striving to encourage resistance to the laws of the State and to excite public apprehension of danger to the constitutional rights of the citizens of the State by misrepresentations of the intentions, powers and duties of the national and State Executives. Thus we may preserve the blessing of peace which we in Missouri are by sad experiences so well prepared to appreciate and may go on to augment the unexampled prosperity we are now enjoying as a State.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of
(L. S.) Jefferson this sixteenth day of August in the year of our Lord one thousand eight hundred and

sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-sixth.——

By the Governor: THO. C. FLETCHER.
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

OCTOBER 1, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 282-283

WHEREAS, Sebastian Yanrickle stands charged by indictment of the Grand Jurors for the body of the County of Holt with the murder of John S. Bess, and Eli Colvin stands charged by indictment of the Grand Jurors aforesaid with committing the crimes of Robbery and Grand Larceny, and

WHEREAS, the said Sebastian Yanrickle and Eli Colvin have fled from justice and are still at large.

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three hundred dollars for the apprehension and delivery of the said Sebastian Yanrickle, and of Two hundred dollars for the apprehension and delivery of Eli Colvin, to the Sheriff of Holt County.—

In Testimony Whereof, I, Thomas C. Fletcher, have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:
(L. S.) Done at the city of Jefferson, this first day of October, in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the forty-sixth.

By the Governor: THO. C. FLETCHER.
FRANCIS RODMAN, Secy. of State.

OFFERING A REWARD

OCTOBER 22, 1866

From the Register of Civil Proceedings, 1861-1868, p. 286

WHEREAS it has come to my knowledge that Elijah Tong has been indicted for committing the crime of murder by the Grand Jurors for the body of the County of St. Francois, and

WHEREAS the said Elijah Tong has fled from justice and is still at large,

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing, and by virtue of authority in me vested by law, do offer a reward of Three Hundred dollars for the apprehension and delivery of the aforesaid Elijah Tong to the Sheriff of the County of St. Francois in the State of Missouri.

Description of Fugitive.—

Elijah Tong is about twenty-seven years of age, five feet and eight inches in height, of light complexion with light hair and blue eyes, and thin sandy beard.——

In Testimony Whereof I have hereunto set my hand, and caused the Great Seal of the State of Missouri to be affixed: Done at the City of
(L. S.) Jefferson this twenty-second day of October in the year of our Lord one thousand eight hundred and sixty-six, of the Independence of the United States the ninety-first and of the State of Missouri the forty-sixth.

By the Governor: THO. C. FLETCHER.
FRANCIS RODMAN, Secy. of State.

ON THANKSGIVING

NOVEMBER 12, 1866

From the Register of Civil Proceedings, 1861-1868, p. 288

God has safely brought us through the trails and dangers of the year. Peace has shed its blessings upon the nation. The desolations of pestilence have been averted. The husbandman has garnered bountiful harvests, and apprehensions of famine are banished from all minds. Prosperity attends all the varied pursuits of our enterprising people; the places made waste by civil war are again peopled and flourishing under the triumphs of peace; education has been guaranteed a wider diffusion; Christianity has been strengthened in its influences; and the principles of universal freedom, impartial justice and true human progress, have inspired with wisdom the minds, and moved to mercy the hearts of men, and with their benign radiance illumine the horizon of our nation's future.

For all these and many other blessings, the thanks and praises of the whole people should ascend with a common voice to Almighty God.——

Therefore I, Thomas C. Fletcher, Governor of the State of Missouri, do by this my proclamation recommend that the good people of this State observe Thursday, the twenty-ninth day of November instant as a day of Thanksgiving and Prayer, and that they do then assemble in their respective churches and places of worship and make their humble thank-offerings for all blessings during the year, and invoke a continuance of divine favor and mercy.——

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of Jefferson this twelfth day of November in the
(SEAL) year of our Lord one thousand eight hundred and sixty-six, of the Independence of the United

States the ninety-first, and of the State of Missouri the forty-seventh.

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

DECEMBER 1, 1866

From the Register of Civil Proceedings, 1861-1868, p. 296

WHEREAS one D. C. Harper did on the eighth day of October, A. D. 1866, near Otterville in the County of Cooper and State of Missouri willfully murdered Samuel Wilson, and

WHEREAS the said D. C. Harper has fled from justice and is still at large,

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Five Hundred and Fifty Dollars for the apprehension and delivery to the Sheriff of Cooper County of the aforesaid D C. Harper.

Description of Fugitive:

Said Harper is about six feet in height, has black hair and blue eyes, and had on when last seen a blue suit of clothes with a black stripe down the pantaloons.

In Testimony Whereof I have hereunto set my hand and caused the Great Seal of the State of Missouri to be affixed: Done at the City of Jefferson this first day of December in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

(SEAL)

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

DECEMBER 3, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 296-297

WHEREAS William Snodgrass and John Carver escaped from the jail of Cole County on the night of the 26th of November, A. D. 1866, and

WHEREAS the said William Snodgrass and John Carver have frustrated all attempts to retake them—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Two Hundred Dollars for the apprehension and delivery of the body of each and every one of the above named fugitives from justice to the Sheriff of Cole County.—

Description of Fugitives:

William Snodgrass is about five feet and six inches high, of light complexion with blue eyes and light brown hair; about twenty-two years of age; weighs about one hundred and sixty pounds and wore a black suit of clothes;—

John Carver is about six feet in height; of light complexion with light hair; about thirty-five years of age; very heavy set, weighing about two hundred and twenty pounds and wore a grey suit of clothes.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson, this third day of
(SEAL) December in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

DECEMBER 5, 1866

From the Register of Civil Proceedings, 1861-1868, p. 299

WHEREAS Stiles A. Torrence did on the 30th day of October A. D. 1866, in the town of Maryville, County of Nodaway and State of Missouri murder one Jonathan Allen, and

WHEREAS the said Torrence has succeeded in making his escape from the custody of the Sheriff of the County aforesaid and is still at large

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Two Hundred Dollars for the apprehension and delivery of the body of the said Torrence to the Sheriff of Nodaway County.—

Description of Fugitive:

Stiles A. Torrence is a large man, about twenty-eight years of age, weighing nearly two hundred pounds, of fair complexion with light hair and blue eyes, and had on when last seen a dark suit of clothes, black hat and a blue (soldiers) overcoat. He wore a beard on his chin and a mustache, and is supposed to have fled into Nebraska.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this fifth day of
(SEAL) December in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

CALLING FOR TROOPS

DECEMBER 10, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 302-303

WHEREAS a portion of the State of Missouri is infested with murderers and robbers, who defy the civil authority and have the sympathy and aid of such number of the people, and have so intimidated or obtained the sympathy of the local authorities of the counties wherein they have their haunts, that peaceable and law-abiding citizens are not secure in their persons and property—

THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, do call upon the people of the State to volunteer by companies as enrolled in the militia, to the number of twenty-four companies of cavalry and ten companies of infantry, to be organized and to proceed under my orders as the chief executive officer of the State, charged with the conservation of the peace and with the chief command of the militia of the State, to preserve the peace, protect the citizens of the State in their persons and property and to execute legal process on all violators of the law and bring them to trial.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this tenth day of
(SEAL) December in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State.

PROVIDING FOR THE ENFORCEMENT OF CIVIL LAW

DECEMBER 12, 1866

From the Register of Civil Proceedings, 1861-1868, p. 303

To the Citizens of Lafayette and Jackson Counties:

Having become satisfied that the ordinary process of law cannot be executed in your counties, and that a sufficient *posse* will not respond to the call of an officer for that purpose, I have by authority of the act of the General Assembly of the 14th March, 1866, entitled "An act to provide for the enforcement of the civil law," &c. called into active service twenty-four companies of cavalry and ten companies of infantry, for duty in the counties of Lafayette and Jackson, which counties will be required to raise by taxation the amount necessary to pay said force.

Whenever I am satisfied that the people of the counties named will enforce the law against all men who have violated it, as they can and ought to do, and shall by their support of civil authority, give the usual legal protection to the law-abiding citizens, and teach evil-doers a proper fear of the punishment of the law, the troops ordered there, will be withdrawn.—

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this twelfth day of
(SEAL) December in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

DECEMBER 14, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 305-306

WHEREAS Jesse Willis has been indicted for the murder of Lewis Crabtree by the Grand Jurors for the body of the County of St. Francois, and

WHEREAS the said Willis has effected his escape from the jail of said county and is now at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the aforesaid Willis to the Sheriff of St. Francois County—

Description of Fugitive:

Jesse Willis is about twenty-eight years of age, five feet and ten inches in height, of light complexion with blue eyes, sandy beard and auburn hair and weighs 150 or 160 pounds. Has a mole or dark spot on his right cheek and wore a white hat and pretty good clothes; carries himself rather erect, and, when sober, is of quiet appearance. Was formerly a collier at Irondale, Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this fourteenth day
(L.S.) of December in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

DECEMBER 21, 1866

From the Register of Civil Proceedings, 1861-1868, p. 311

WHEREAS one Frederick A. Baker did on the 11th day of November A. D. 1866, in the County of Howell and State of Missouri, murder John Finley and his wife and mortally wound his daughter, and

WHEREAS said Frederick A. Baker, the murderer aforesaid, has fled from justice and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of authority in me vested by law do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the aforesaid Baker to the Sheriff of Howell County.—

Description of Fugitive:

Frederick A. Baker is about thirty-two years of age, five feet and eight inches in height, of light complexion with fair hair, blue eyes and almost white beard. His chin is rather prominent and his under-teeth show when he laughs or talks. Had on a blue overcoat when he left, and rode a mouse colored mare, in good condition. Speaks rather drawling and through his nose.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this twenty-first
(SEAL) day of December in the year of our Lord one thousand eight hundred and sixty-six; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

DECEMBER 31, 1866

From the Register of Civil Proceedings, 1861-1868, pp. 316-317

WHEREAS John McCanse and two others known by the names of John and Texas respectively, did in the County of Pettis and State of Missouri, murder Harvey T. McCune of Lawrence County, and--

WHEREAS the murderers aforesaid have fled from justice and are still at large.

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of each and every one of the above named fugitives from justice to the Sheriff of Pettis County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of (SEAL) Jefferson this thirty-first day of December, in the year of our Lord one thousand eight hundred and sixty-six; of the independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

JANUARY 11, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 323-324

WHEREAS James Sexton did on the 14th day of December, A. D. 1866, near Jollification in the County of Newton and State of Missouri, murder Joseph Henry, and

WHEREAS the said James Sexton has fled from justice and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the said Sexton to the Sheriff of Newton County—

Description of Fugitive:

James Sexton is about six feet high, of slender built and somewhat round shouldered, has large blue eyes, sharp Roman nose, peaked chin and long, thin, light hair. He talks very fast and frequently refers to himself as "Jim;" is fifty-seven years of age and very fond of smoking and whiskey.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of (SEAL) Jefferson this eleventh day of January in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JANUARY 24, 1867

From the Register of Civil Proceedings, 1861-1868, p. 329

WHEREAS John Lockhardt did on the night of the fourteenth of January, A. D. 1867, in the town of Dover, County of Lafayette and State of Missouri, deliberately murder Howell Ezell, and

WHEREAS the said John Lockhardt has fled from justice and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the said Lockhardt to the Sheriff of the County of Lafayette. The said John Lockhardt was formerly a lieutenant in Rufner's Rebel Battery.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the city of Jefferson this twenty-fourth day of January in
(SEAL) the year of our Lord one thousand eight hundred and sixty-seven, of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

FEBRUARY 9, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 337-338

WHEREAS James M. Stuart did on the night of the eighth of December, A. D. 1866, in the County of Taney and State of Missouri, murder John B. Cook, and

WHEREAS the said Stuart has fled from justice and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the said James M. Stuart to the Sheriff of Taney County.——

Description of Fugitive:

James M. Stuart is about twenty-eight years of age, five feet and ten inches in height and of light complexion with dark hair and blue eyes. Has the letter "J" tattooed on the back of his left hand, and a scar on one of his shoulders from the cut of a knife; his right jaw has been fractured and is somewhat larger than the left.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson, this ninth day of
(SEAL) February in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

FEBRUARY 25, 1867

From the Register of Civil Proceedings, 1861-1868, p. 342

WHEREAS John W. Ownby, late Sheriff and ex-officio Collector of Adair County in the State of Missouri, had in his trust a large amount of money belonging to the State and collected by him, and

WHEREAS the said John W. Ownby has absconded with the funds in his charge—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the aforesaid John W. Ownby to the sheriff of Adair County.

Description of Fugitive:

Ownby is about five feet and eleven inches in height, perhaps twenty-seven years of age, of florid complexion with light hair and mustache, and quite sociable although rather awkward in his address. Is very fond of smoking and weighs about one hundred and eighty-five pounds.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Misouri:

Done at the City of Jefferson this twenty-fifth
(L.S.) day of February in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State

REMOVING JAMES C. MOODY FROM OFFICE

MARCH 9, 1867

From the Register of Civil Proceedings, 1861-1868, p. 347

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 9, 1867.

WHEREAS The two Houses of the General Assembly of the State of Missouri have, upon charges and specifications found in due form of law, and in accordance with the provisions of the Constitution of the State, sec. 19, article 6th, declared James C. Moody, Judge of the Saint Louis Circuit Court, guilty of the matters and things alleged in said charges and specifications, and have according to the provisions of the law in such case made and provided, adopted in both Houses an address to the Governor of this State, requesting him to remove said James C. Moody from his office of Judge of the Circuit Court of Saint Louis County.—

Now in pursuance of the request made by the two Houses of the General Assembly of this State, as above set forth, I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the power vested in me by the Constitution of this State under article 6th section 19th, and the statutes in such case made and provided, do hereby remove James C. Moody from his office of Judge of the Circuit Court of Saint Louis County, and declare the commission and authority of the said James C. Moody as Judge vacated and removed.

THO. C. FLETCHER,
Governor of Mo.

By the Governor:
(SEAL)
FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

MARCH 15, 1867

From the Register of Civil Proceedings, 1861-1868, p. 348

WHEREAS one Jim White and certain others did on the second of March, A. D. 1867, in the town of Savannah, County of Andrew and State of Missouri, attempt to rob the Savings Bank at said place, and did then and there shoot with intent to kill John McLain, and—

WHEREAS the said White and his accomplices have fled from justice and are still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the bodies of each and every one of the above mentioned fugitives from justice to the Sheriff of the County of Andrew.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson, this fifteenth day
(SEAL) of March in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

MARCH 19, 1867

From the Register of Civil Proceedings, 1861-1868, p. 350

WHEREAS George Ray stands charged with the murder of James Sparkman at Keytesville, Missouri, on the twenty-fourth day of December, A. D. 1866, and

WHEREAS the said Ray has broken from the custody of the Sheriff of Barry County, and is now at large

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Two Hundred and Fifty Dollars for the apprehension and delivery of the body of the aforesaid Ray to the Sheriff of the County of Barry.—

Description of Fugitive:

George Ray is about twenty-two years old, five feet and ten inches high, of fair complexion with light hair and pale blue eyes and weighs about one hundred and eighty pounds. Has a piece of one of his upper front teeth broken off and the middle toe of his left foot is wanting. Is supposed to have fled into Callaway County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this nineteenth day
(SEAL) of March in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

MARCH 22, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 351-352

WHEREAS the Grand Jurors for the body of the County of Buchanan in the State of Missouri, have found true bills against James White for committing the crimes of Grand Larceny and Robbery, Bill Childs for Murder in the first degree, John White for aiding and abetting the escape of prisoners from the County jail and James Edmonson for Grand Larceny and Robbery, and

WHEREAS the said James White, Bill Childs, John White and James Edmonson have fled from justice and are still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the bodies of each and every one of the aforementioned fugitives from justice to the Sheriff of the County of Buchanan.—

Description of Fugitives:

James White is about twenty-four years of age, five feet and nine inches in height, of fair complexion with black hair and eyes, wears a small beard and mustache, his hair very long, carries himself rather erect and is of bold appearance.—

Bill Childs is about twenty-two years old, five feet and six inches high, of fair complexion with light hair, blue eyes and thin visage. Has no beard, but sometimes wears an artificial one.—

John White, twenty-five years of age, five feet and eight inches high, black hair and eyes and weighs about one hundred and forty-five pounds.—

James Edmonson, twenty-six years old five feet and eight inches high, face full as also beard, complexion light, hair fair, eyes blue, is altogether rather good looking and wears a masonic pin for purposes of deception.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson, this twenty-second
(SEAL) day of March in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

MARCH 29, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 353-354

WHEREAS James Stephens stands charged with committing the crime of Highway Robbery, and Alexander Fussy and John Bluebaker with committing the crime of Grand Larceny in the County of Buchanan and State of Missouri, and

WHEREAS the said James Stephens, Alexander Fussy and John Bluebaker have broken from the jail of Buchanan County and are now at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Two Hundred Dollars for the apprehension and delivery of the bodies of each and every one of the aforementioned fugitives from justice to the Sheriff of the County of Buchanan.

Description of Fugitives:

James Stephens is about five feet and four inches high, of dark complexion with black hair and eyes, has lost the forefinger of his right hand and was wounded in the breast by a revolver ball.

Alexander Fussy is about six feet high, of light complexion, light hair and rather spare built.—

John Blubaker is about five feet and eight inches in height, of dark complexion and dark brown hair, rather heavy built and weighs about one hundred and sixty-five pounds.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this twenty-ninth
(SEAL) day of March in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

MARCH 30, 1867

From the Register of Civil Proceedings, 1861-1868, p. 354

WHEREAS William McWaters has been indicted by the Grand Jurors for the body of the County of Vernon

and State of Missouri for committing the crime of Robbery and

WHEREAS the said William McWaters has frustrated all attempts to arrest him and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the aforesaid McWaters to the Sheriff of the County of Vernon.

Description of Fugitive:

William McWaters is about five feet and ten inches high, of fair complexion with light hair and eyes, thin visage, rather spare built weighing between one hundred and forty and one hundred and fifty pounds, and wore his hair and mustache rather short. He dresses well and is of easy manner and altogether respectable appearance; has been wounded in the right arm, which is somewhat stiff, and wore, when last seen, a grey overcoat, through which there was a bullet hole.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this thirtieth day
(SEAL) of March in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor,

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

APRIL 9, 1867

From the Register of Civil Proceedings, 1861-1868, p. 357

WHEREAS Perry Pixley and Lewis Pixley, who are charged with the murder of Genl. Joseph Bailey, Sheriff of Vernon County, Missouri on the 26th of March 1867 and

WHEREAS the said Perry and Lewis Pixley have fled from justice and are still at large—

NOW THEREFORE I, George Smith, acting Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the bodies of each of the aforesaid fugitives from justice to the proper authorities of Vernon County—

Description of Fugitives:

Perry Pixley is 5 ft. 10 inches high, weighs about 175 pounds, eyes small, clear and blue, full face, light hair, light thin whiskers, is about 22 years of age.—

Lewis Pixley bears a close resemblance to Perry, but is larger and coarser in appearance, larger nose, and face more bony, about 5 feet 11 inches high, weighs about 180 lbs., with smooth face and light hair, about 25 or 26 years of age.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this ninth day of (SEAL) April in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

GEO. SMITH,
Acting Governor.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

APRIL 19, 1867

From the Register of Civil Proceedings, 1861-1868, p. 359

WHEREAS one Polk Congers has committed several murders and depredations in the County of Mississippi and State of Missouri, and

WHEREAS the said Polk Congers has fled from justice and is now at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the aforesaid Congers to the Sheriff of the County of Mississippi.—

Description of Fugitive:

Polk Congers is about five feet and eight inches high, twenty-three years old, of fair complexion with light hair, grey eyes and heavy red whiskers.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this nineteenth day
(SEAL) of April in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLECTHER.

By the Governor:
FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

MAY 9, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 362-363

WHEREAS George Crawford, Squire Sturgens, ———— Allen and another whose name is unknown, did on the seventeenth day of April, A. D. 1867, in the County of Carter and State of Missouri, shoot and rob George W. Thompson, and

WHEREAS the criminals aforesaid have fled from justice and are still at large

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the bodies of each and every one of the aforementioned fugitives from justice to the Sheriff of the County of Carter—

Description of Fugitives:

George Crawford is about 21 years old, 5 feet and 10 inches high, of dark complexion with black hair and eyes, thin beard and rather good-looking. Has been wounded in one shoulder, and had on, when last seen, a black frock-coat, black pants and hat, and rode a sorrel mare in good condition.

Squire Sturgens, a heavy set man about 5 feet 8 inches high, light complected with blue eyes and thin, whitish whiskers and 21 years of age, had on a grey coat and white hat, rode a sorrel horse and is rather quick-spoken.—

———— Allen is rather spare-built, about 23 years of age, 5 feet and nine inches in height, of light complexion with light hair and whiskers and blue or grey eyes, and weighs 140 pounds.

The fourth party is a small, heavy-set man of dark complexion, and wore a dark-blue suit of clothes, and black, slouched hat; is quite young and rode a black horse.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this ninth day of
(SEAL) May in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

MAY 28, 1867

From the Register of Civil Proceedings, 1861-1868, p. 366

WHEREAS Thomas Titus, John Titus, Noah Titus and John Beving stand charged in the County of Clay and State of Missouri with the crime of "murder in the first degree", and

WHEREAS the said Thomas Titus, John Titus, Noah Titus and John Beving did on the twenty-eighth day of March A. D. 1867, break from the common jail of the County and State aforesaid

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Two Hundred and Fifty Dollars for the apprehension and delivery of the body of each and every one of the aforementioned fugitives from justice to the Sheriff of the County of Clay—

Description of Fugitives:

Thomas Titus is about 27 years of age, nearly six feet high, of light complexion with large blue eyes and sandy hair, and had on, at the time of his escape, a suit of blue jeans.

John Titus is about thirty years of age, five feet and eight inches high, has dark hair and blue eyes, and wore, when he escaped, a suit of blue jeans.

Noah Titus is about twenty-six years old, five feet and nine inches high, of fair complexion with blue eyes and dark hair, rather spare built weighing nearly 180 pounds, and had on, when last seen, a suit of blue jeans. One of his feet is rather deformed.

John Beving is about twenty-seven years of age, of dark complexion with coarse black hair and dark eyes and rather square-built.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of Jefferson this twenty-eighth day of May in the (Seal) year of our Lord one thousand eight hundred and sixty seven; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JUNE 3, 1867

From the Register of Civil Proceedings, 1861-1868, p. 369

WHEREAS Hiram Christian was on the twenty-fourth of May, A. D. 1867, in the town of Springfield and State of Missouri, deliberately murdered, and

WHEREAS the perpetrators of this foul deed have fled from justice and are still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good and sufficient reasons appearing, and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the bodies of each and every one of the aforementioned murderers to the Sheriff of the County of Greene.—

Description of Fugitives:

One of said murderers was at least six feet in height and wore dark clothes, and the other was of medium height with gray clothes and light hat.—

In Testimony Whereof I have hereunto set my hand, and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this third day of
(L.S.) June in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-first, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

JUNE 20, 1867

From the Register of Civil Proceedings, 1861-1868, p. 372

WHEREAS Zeb Busic, Joe. Jones, William Mathews and James Mathews stand charged by indictment with committing the crime of murder and grand larceny in the County of Miller in this State, and it having been represented to me that the above named persons are still at large, and

WHEREAS Ben. Jones, Allen Connor and Alexander Manus indicted for committing the crime of murder in Moniteau County in this State were arrested but broke jail in Cole County, and for the re-arrest of each of these escaped criminals a reward of $200 was offered by proclamation dated August 9, 1865, but have so far eluded the vigilance of the officers of the law.

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good reasons appearing and by virtue of authority vested in me by law, do hereby offer a reward of Three Hundred Dollars each for the arrest and delivery to the Sheriff of Miller County of the bodies of Zeb. Busic, Joe. Jones, William Mathews and James Mathews, and a reward of One Hundred Dollars each in addition to the reward of two Hundred Dollars each as offered by my proclamation dated August 9th, 1865, for the arrest and delivery to the Sheriff of Moniteau or Cole Counties of the bodies of Ben. Jones, Allen Connor, and Alexander Manus, and also a reward of Fifty Dollars each for the arrest and conviction of every person who shall conceal either of the felons above named, or who shall give either or all of them any other aid with the intent and for the purpose that such offender may escape or avoid arrest, trial, conviction and punishment.

In Testimony Whereof I have hereto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this twentieth day
(L.S.) of June in the year of our Lord one thousand eight hundred and sixty-seven, of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

JULY 2, 1867

From the Register of Civil Proceedings, 1861-1868, p. 374

WHEREAS James James stands charged by indictment in the County of Cedar and State of Missouri with "murder in the first degree" and Franklin Stroud with "grand larceny" and

WHEREAS the said James James and Franklin Stroud have made their escape from the common jail of the county of Cedar aforesaid and are still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Two Hundred and Fifty dollars for the apprehension and delivery of the bodies of each and every one of the aforementioned fugitives from justice to the Sheriff of the County of Cedar.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this second day of
(L.S.) July in the year of our Lord one thousand eight hundred and sixty-seven, of the Independence of the United States the Ninety-first and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State

OFFERING A REWARD

JULY 12, 1867

From the Register of Civil Proceedings, 1861-1868, p. 376

WHEREAS George Anderson did in the winter of 1866, in the County of Bates and State of Missouri, murder Henry Yost, and

WHEREAS the said Anderson has fled from justice and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of George Anderson, the murderer aforesaid, to the Sheriff of the County of Bates.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this twelfth day of July in the year of our Lord one thousand eight hundred and sixty-seven; of the Independence of the United States the Ninety-second, and of the State of Missouri the Forty-seventh.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JULY 24, 1867

From the Register of Civil Proceedings, 1861-1868, p. 378

WHEREAS Green Wilson did on the fourth day of July in the year 1867, set fire to and burn the Clerk's office of the County of Reynolds and State of Missouri, with the books, records, papers and property pertaining thereto, and

WHEREAS the said Green Wilson is charged with the murder of a man by the name of Bird, and

WHEREAS the said Green Wilson has fled from justice and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of three hundred dollars for the apprehension and delivery of the body of Green Wilson aforesaid to the Sheriff of the County of Reynolds.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this 24th day of
(L.S.) July in the year of our Lord 1867, of the Indedendence of the United States the 92d and of the State of Missouri the 47th.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

Description of Fugitive:

Green Wilson is about 45 years of age, 5 feet and 11 inches in height, weighs about 155 pounds, is of dark complexion, black hair (turning slightly gray); has had sore eyes for three or four years and talks very fast, with an obstruction in his speech.

OFFERING A REWARD

SEPTEMBER 16, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 388-389

WHEREAS it appears from evidence taken before a Coroner's Jury, that one Samuel Mason, did on the 7th day of September 1867, at the town of Pevely, County of Jefferson, State of Missouri, shoot and kill William White, a colored man, and

WHEREAS it further appears that one ———— Smith was accessory to and concerned in the killing of the said White, and

WHEREAS the said Samuel Mason and ———— Smith, murderers, have fled from justice and are still at large,

NOW THEREFORE I, George Smith, Lieut. and acting Governor of the State of Missouri, for good and sufficient reasons appearing, and by virtue of authority in me vested by law, do offer a reward of two hundred dollars ($200), for the apprehension and delivery of the body of each of the murderers aforesaid, to the Sheriff of the County of Jefferson.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this sixteenth day of
(Seal) September A. D. 1867, in the year of the Independence of the United States the 92d and of the State of Missouri the 48th.

GEO. SMITH.

By the acting Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

SEPTEMBER 16, 1867

From the Register of Civil Proceedings, 1861-1868, p. 389

WHEREAS William Abbott, ———— Willson and ———— Taylor did on the 29th day of August 1867, in Bates County, Missouri, shoot and kill Durand H. Nealy, and

WHEREAS the said Abbott, Willson and Taylor have fled from justice and are still at large—

NOW THEREFORE I, George Smith, Lieut. and acting Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of authority in me vested

by law, do offer a reward of $200 each for the apprehension and delivery of the bodies of the murderers aforesaid to the Sheriff of Bates County.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

Done at the City of Jefferson this sixteenth day
(SEAL) of September in the year of our Lord 1867, of the Independence of the United States the Ninety-second and of the State of Missouri the Forty-eighth.

GEO. SMITH.

By the acting Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

OCTOBER 30, 1867

From the Register of Civil Proceedings, 1861-1868, p. 397

WHEREAS Thomas J. Smith and Wm M Shelton did on the 10th day of September 1867, shoot with intent to kill the deputy Sheriff of Miller County Mo and

WHEREAS the said Smith and Shelton did forcibly release a prisoner named Wm W Smith then in the custody of the said Deputy Sheriff and

WHEREAS the said Thos J. Smith Wm M Shelton and Wm W Smith have fled from justice and are still at large

NOW THEREFORE I Thomas C. Fletcher Governor of the State of Mo, for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Two Hundred Dollars, for the apprehension and delivery of the body of each of the aforesaid fugitives to the Sheriff of Miller County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of
(Seal) the State of Mo. Done at the City of Jefferson this 30th day of October in the year of our Lord 1867 of the Independence of the United States the 92 and of the State of Mo the 48th.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secty of State.

Description of Fugitives.

Thomas J. Smith is about 25 years old six feet one inch in hight, has fair complexion, blue eyes, light hair and whiskers and weighs about 170 or 180 pounds.

Wm W Smith is about 6 feet tall, form slender, between 25 and 30 years old has light curly hair, which he parts on both sides and combs to the center, and light whiskers, has also a musket ball wound in one thigh.

Wm M. Shelton is about 5 ft 10 inches in hight, weighs about 150 lbs and is about 25 years old; has dark complexion and dark hair.

ON THANKSGIVING

NOVEMBER 5, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 399-400

Heartily conforming to the good custom of annually setting apart a day for the public performance of the Christian duty of rendering thanks and praises to God for all the blessings which gladden our daily paths I do hereby appoint Thursday the 28th day of November for that purpose and request all the people of the State of Missouri to abstain from the pursuits of business on that day and to meet in their usual places of worship to unite in thanksgiving and praises to our God for the mercies of abundant and gathered in which He has crowned the year with his

goodness, for thriving industry for peace and domestic good order, for the social and moral improvement of the people the learning of the Schools, and the increase to the churches for prosperity in the Marts of commerce and trade, for all present benefits and the rich hopes of the future. Let us also employ that befitting occasion to renew solemn vows of fidelity to our Country and to the memory of those who died in its defense, to testify anew our sympathy with the claims of want bereavement and sorrow and to the promotion of equal rights and privileges peace and good will among men

Given at the Executive Office in the City of Jefferson this fifth day of November in the year of our Lord Eighteen hundred and Sixty
(Seal) Seven of the Independence of the United States the Ninety-second and of the State of Missouri the forty eighth

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, S. of S.

OFFERING A REWARD

NOVEMBER 21, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 403-404

WHEREAS on the night of the 28th of October 1867 William B. Nichols charged with the murder of John Yelton escaped from the custody of the Sheriff of Jackson County while being conveyed from Kansas City to Independence and

WHEREAS the said William B. Nichols has fled from justice and is still at large

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri for good and sufficient reasons appearing and by virtue of authority in me vested by law, do offer a reward of Three hundred Dollars for the apprehen-

sion and delivery of the body of the aforesaid Wm B Nichols to the Sheriff of Johnson County

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson this 21st day of
(Seal) November in the year of our Lord 1867 of the independence of the United States the 92d and of the State of Mo the 48th.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of Fugitive:

William B Nichols is five feet seven inches in hight weighs about 145 lbs has short sandy whiskers and moustache, and light gray eyes, and is an active well dressed man.

OFFERING A REWARD

NOVEMBER 23, 1867

From the Register of Civil Proceedings, 1861-1868, p. 404

WHEREAS Joseph N. Kay did on or about the 27th day of September 1867 wickedly and premeditatedly murder one William Middleton in Platte County, Mo and

WHEREAS the said Joseph N Kay has fled from justice and is still at large.

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri for good and sufficient reasons appearing and by virtue of authority in me vested by law do offer a reward of Three hundred Dollars for the apprehension and delivery of the body of the aforesaid Joseph N Kay to the Sheriff of Platte County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson this 23d day of
(Seal) November in the year of our Lord 1867 of the independence of the United States the 92d and of the State of Missouri the 48th.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of Fugitive

Joseph N. Kay is twenty four years old, about 5 ft 10 inches high, weighs about 165 lbs has light hair—wavy when long, short sandy moustache and whiskers, small blue eyes and turned up nose, rather narrow shoulders and full breast. He has a scar on the back of one hand and also a scar on the little or middle finger of the right hand.

ON RELINQUISHMENT OF LAND

DECEMBER 11, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 410-412

To all to whom these presents shall come Greeting:

Know ye that WHEREAS under the provisions of the act of congress approved Sept 28 1850, entitled "an act to enable the State of Arkansas and other states to reclaim Swamp land within their limits" the Surveyor General of the United States for the District of Missouri reported to the commissioner of the General Land office the following described tracts of land in the district of lands subject to sale at Plattsburg Mo. as enuring to the State of Missouri under the law aforesaid to wit: NW¼ of SW¼—SE¼ of SW¼ and SW¼ of SW¼ all of Section 23 T66 R31.

And WHEREAS the tracts of land hereinbefore described were purchased at the aforesaid Land Office by Moses Shoe-

maker on the 25th day of August 1856 as shown by duplicate certificate of location and said duplicate certified of location being assigned to George Funkhouser on the 25th day of August 1856, a patent for the said lands was issued to the said George Funkhouser by the United States on the 20th day of September 1861

And WHEREAS on the ———— day of ———— 18—— the aforesaid tracts of land were approved to the said State of Missouri by the Secretary of the Interior in list No ———— of Swamp and overflowed lands in the aforesaid District

And WHEREAS on the 23d day of March 1858, the said tracts of land were patented to the said State of Missouri in patent No ———— for said District as Swamp and overflowed lands enuring to the said State under the said act of Sept 28, 1850.

And WHEREAS by the act of Congress approved March 2 1855 entitled "an act for the relief of purchasers and locators of Swamp and overflowed lands" it is directed that the President of the United States cause patents to be issued as soon as practicable for the purchasers or locators who have made entries of the public lands, claimed as swamp lands, either with cash land warrants or scrip prior to the issue of patents to the state or States as provided for by the Second Section of the act approved September 28 1850 entitled "an act to enable the State of Arkansas and other States to reclaim the Swamp land within their limits" any decision of the Secretary of the interior or other officers of the government of the United States to the contrary notwithstanding

And WHEREAS the provisions of the act of March 2nd 1855 last above recited have been continued in force and extended by the act of 3d of March 1857 entitled "an act to confirm to the several States the Swamp and overflowed lands, selected under the act of the 28th of Sept 1850 and the act of 2nd of March 1849.

And WHEREAS in accordance with a statute of the State of Missouri, an order has been made by the County

Court of Worth County Missouri authorizing the Governor to relinquish the State in and to the lands hereinbefore described

NOW THEREFORE Be it Known that I Thomas C Fletcher Governor of the State of Missouri by virtue of the authority in me vested, in consideration of the premises, do hereby release and forever relinquish unto the United States of America all right titled claim or interest of any kind whatsoever of the said State of Missouri in and to the lands hereinbefore described and every portion thereof acquired under or by virtue either of the aforesaid selection and approval or the patent heretofore issued to the Said State intending hereby to restore said lands back to the control of the United States as fully as if said approval had never been made or said patent issued—

In Testimony Whereof I have hereunto subscribed my name and caused to be affixed the Great
(Seal) Seal of the State of Missouri. Done at the city of Jefferson this 11th day of December 1867

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

OFFERING A REWARD

DECEMBER 18, 1867

From the Register of Civil Proceedings, 1861-1868, p. 419

WHEREAS on the night of the 28th of December 1867 George Bennett (Colored) escaped from the Jail of Cole County, Mo where he was in confinement on a charge of robbery and

WHEREAS the said George Bennett has fled and is still at large

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri for good and sufficient reasons appearing and by virtue of the authority in me vested by law,

do offer a reward of Two Hundred dollars for the apprehension and delivery of the body of the aforesaid Geo Bennett to the Sheriff of Cole County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson this 18th Day of
(Seal) December Anno Domini 1867 in the year of the Independence of the United States the 92d and of the State of Missouri the 48th.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of fugitive.

George Bennett is about 38 years old, 5 ft 10 or 11 inches high and well built. He has large yellow eyes and pock pitted face. When he left he wore red jeans pants a long gray confederate overcoat gray vest and heavy shoes.

OFFERING A REWARD

DECEMBER 19, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 413-414

WHEREAS Eli Colvin stands indicted in Holt County Missouri for the crimes of robbery, and Grand Larceny and

WHEREAS on the night of the 18th of November 1866 the said Eli Colvin escaped from the jail at Oregon Mo and

WHEREAS the said Eli Colvin has fled from justice and is still at large

NOW THEREFORE I, Thomas C. Fletcher Governor of the State of Missouri for good and sufficient reasons appearing, by virtue of the authority in me vested by law dò offer a reward of Two hundred Dollars for the apprehension and delivery of the body of the aforesaid Eli Colvin to the Sheriff of Holt County Mo.

In Testimony Whereof I have hereunto set my hand, caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this 19th day of December 1867, in the year of the United States the 92nd and of the State of Missouri the 48th.

(Seal)

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of fugitive:

Eli Colvin is a man about 6 high about 30 years old, is stoop shouldered, has a broad chest, sandy complexion, rather large blue eyes, showing considerable white, protruding upper teeth, and when he left wore a full beard.

OFFERING A REWARD

DECEMBER 19, 1867

From the Register of Civil Proceedings, 1861-1868, pp. 414-415

WHEREAS Thomas Carter did in November 1861 in the County of Bates Missouri murder one George Thomas and

WHEREAS on the night of November 25th 1867 Oliver Frakes and James L Shafer escaped from the Jail of Bates County at Butler Mo and

WHEREAS the Said Thomas Carter Oliver Frakes and James L Shafer have fled from justice and are still at large

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri for good and sufficient reasons appearing and by virtue of the authority in me vested by law do offer rewards as follows, for the apprehension and safe delivery to the Sheriff of Bates County of the bodies of the aforesaid fugitives viz: For Thomas Carter the sum of Three hundred Dollars and for Oliver Frakes and James L Shafer two hundred dollars each.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this 19th day of December 1867 in the
(Seal) year of the independence of the United States the Ninety Second and of the State of Missouri the Forty Eighth.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of the Fugitives.

Thomas Carter is about 26 or 27 years of age, nearly six feet tall and slender, he has blue eyes, dark hair and dark complexion—

Oliver Frakes about 5 ft 9 inches high, light hair sandy whiskers and moustache, weighs about 145 lbs. and is about 28 years old

James L Shafer is about 30 years old weighs about 135 lbs, is 5 ft 8 inches high has thick black curly hair black moustache and goatee, and deep set gray eyes, is crippled in his right wrist. Both Shafer and Frakes have a bleached appearance from having lain in Jail.

OFFERING A REWARD

JANUARY 25, 1868

From the Register of Civil Proceedings, 1861-1868, p. 421

WHEREAS on the night of the 2d of January 1868 John Walt confined on a charge of Grand Larceny escaped from the County Jail at Butler, Bates County Missouri and

WHEREAS the said John Walt has fled from justice and is still at large

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri, for good and sufficient reasons appearing and by virtue of the authority in me vested by law

do offer a reward of two hundred dollars for the apprehension and delivery of the body of the aforesaid John Walt to the Sheriff of Bates County Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great Seal of the State of Missouri. Done at the City of
(Seal) Jefferson this 25th day of January in the year of our Lord 1867 of the independence of the United States the 92nd and of the State of Missouri the 48th.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of Fugitive.

John Walt is about 5 ft 10 inches high spare made, dark hair, hazel eyes, about twenty one years of age and weighs about 140 lbs.

OFFERING A REWARD

FEBRUARY 6, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 424-425

WHEREAS on the first day of February inst the following named prisoners, confined on the charges as below specified, escaped from the Jail of Buchanan County at St. Joseph Mo to wit:

Jesse Heddrick alaias Wm Payne charge Grand Larceny

Pat Sullivan ———————————————————

Joseph Parker charge Grand Larceny

John C. Smith alaias Loper charge Robbery

Charles Brooks charge Larceny

Edward Hetrick alaias Dutch, George alaias Wilson charge Burglary

James Little charge Burglary
James Condon——————————and

WHEREAS the said Heddrick Sullivan Parker Smith Brooks Hedrick Little and Condon have fled from justice and are still at large

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri for good and sufficient reasons appearing and by virtue of the authority in me vested by law, do offer a reward of three hundred dollars each for the arrest and delivery of the bodies of the aforesaid fugitives to the sheriff of Buchanan County

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this 6th day of February in the year of our Lord 1868 of the Independence of the United States the 92d and of the State of Mo the 48th.

(Seal)

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

OFFERING A REWARD

APRIL 20, 1868

From the Register of Civil Proceedings, 1861-1868, p. 444

WHEREAS on the 8th day of August 1867 Wm G. McDaniel was near Cameron Mo murdered by some person or persons unknown and

WHEREAS all efforts to discover the guilty parties have heretofore proved futile.

NOW THEREFORE I Geo Smith acting Governor of the State of Missouri by virtue of the authority in me vested by law and for good and sufficient reasons appearing, do offer a reward of Three Hundred ($300) Dollars for the arrest and conviction of the murderer or murderers aforesaid

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson this day of ——— (Seal) in the year of our Lord 1868 of the Independence of the United States the 92 and of the State of Missouri the 48th.

GEO. SMITH.

By the acting Governor
FRANCIS RODMAN, Secty of State.

OFFERING A REWARD

MAY 13, 1868.

From the Register of Civil Proceedings, 1861-1868, p. 451

WHEREAS William C Harris and Robert Harris did on the 25th day of December 1867 in Dunklin County Missouri Wilfully murder one John Willom, and

WHEREAS the said William C Harris and Robert Harris have fled from justice and are still at large

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri by virtue of the authority in me vested by law and for good and sufficient reasons appearing do offer a reward of Three hundred dollars for the apprehension and delivery to the Sheriff of Dunklin County of the body of each and every one of the murderers aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson this 13th day of (Seal) May in the year of our Lord eighteen hundred and sixty-eight of the independence of the United States the 92 and of the State of Missouri the Forty eighth.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JUNE 19, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 456-457

WHEREAS on the 9th day of June 1868 Jesse Glore in the town of Potosi committed an assault on one Frank Saltmarsh, from the effects of which Saltmarch has since died: and

WHEREAS the said Glore has escaped from justice and is still at large.

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri, by virtue of the authority in me vested and for good and sufficient reasons appearing do offer a reward of two hundred dollars for the apprehension and delivery to the Sheriff of Washington County of the body of Jesse Glore the fugitive aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State. Done at the City of Jefferson this 19th day of June in the year of our Lord 1868 (Seal) of the Independence of the United States the 92d and of the State of Missouri the 48th.

THO. C. FLETCHER.

By the Governor

FRANCIS RODMAN, Secty of State.

Description of Fugitive.

Jesse Glore is 5 ft 10 in in hight dark hazel eyes, dark hair, dark complexion, is about 27 years of age, weighs about 175 lbs. and has a slight defect in his speech,

ON RELINQUISHMENT OF LAND

JUNE 27, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 459-462

To all to whom these presents shall come Greeting:

Know ye that WHEREAS under the provisions of the act of Congress approved September 28th 1850, entitled "an act to enable the State of Arkansas and other States to reclaim the Swamp lands within their limits" the Surveyor General of the United States for the District of Missouri, reported to the commissioners of the General Land office, the following described tracts, pieces, or parcels of Land, in the district of lands subject to sale at Springfield Missouri, as enuring to said State under the Law aforesaid, to wit:
(Barton Co) E½ of SE¼ S31. T32 R29

SW¼ of SW¼ S32 T32. R29. E½ of SW¼ S5. T31 R29 W½ of SW¼ S5. T31 R29. Lot 2 NE¼ S5. T31 R29 E½ Lot 1 NE¼ S5. T31. R29. E½ of SE¼ S5. T31 R29 NW¼ of SE¼ S5. T31 R29. Lot 2 NW¼ S5. T31 R29 E½ Lot 1 NE¼ S6 T31 R29. E½ of SE¼ S6 T31 R29 E½ Lot 2 NE¼ S6 T31 R29. NW¼ of SW¼ S32 T32 R29 SE¼ of SW¼ S32 T32 R29. SE¼ of NW¼ S36. T32 R31 W½ of SW¼ S10. T32 R29. SE¼ of NE¼ S9 T32. E½ of SE¼ S9. T32. NE¼ of NE¼ S9 T32. W½ of NW¼ S10 T32. SW¼ of SW¼ S12. T31 R31. SE¼ of SE¼ S25 T32. R31. SE¼ S24 T31 R31. NW¼ S13 T31 R31 NE¼ of SE¼ S13 T31 R31. E½ of NE¼ S24 T31 R31 E½ of NE¼ S22 T31. R13. SE¼ of SW¼ S25 T29 R15 NW¼ of NE¼ S36 T29 R15. Lot 8 NW fr ¼ S4. T29 R15 SW¼ of NW¼ S32 T31. R14. SW¼ of SW¼ S3 T31 R15 NW¼ of NW¼ S10. T31. R15. SW¼ of NW¼ S28 T29 R12 NW¼ of SE¼ S28 T29 R12. N½ of SW¼ S28 T29 R12 SE¼ of SE¼ S11. T30 R15

And WHEREAS the said tracts pieces or parcels of land hereinbefore described were entered at the aforesaid land office as follows, to wit:

By John Blackburn Decr. 11th 1856
(Barton Co)
E½ of SE¼ S31 T32 R29. SW¼ of SW¼ S32 T32 R29.
E½ of SW¼ S5 T31 R29 W½ of SW¼ S5 T31 R29
Lot 2 NE¼ S5 T31 R29 E½ of Lot 1 NE¼ S5. T31 R29
E½ of SE¼ S5 T31 R29 NW¼ of SE¼ S5 T3 R29
Lot 2 NW¼ S5 T31 R29 E½ Lot 1 NE¼ S6 T31 R29
E½ of SE¼ S6 T31 R29 E½ Lot 2 NE¼ S6 T31 R29
By Joseph Little
NW¼ of SW¼ S32. T32 R29 SE¼ of SW¼ S32 T32 R29
Purchased by Joseph C Tany from the United States December 25th 1856
SE¼ of NW¼ S36 T32. R31.
Located by Alexander Henry December 17 1856
W½ of SW¼ S10. T32 R29 E½ of SE¼ S9. T32 R29
SE¼ of NE¼ S9 T32 R29 NE¼ of NE¼ S9 T32 R29
W½ of NW¼ S10 T32 R29.
Purchased from the United States by William Lee November 24 1856
SW¼ of SW¼ S12. T31 R31
Purchased from U S by George E Ward September 18th 1856
SE¼ of SE¼ S25 T32 R31
Located by Uriel F Murray Nov 7 1856.
SE¼ S24 T31 R31.
Located by Nicholas S Jones and James S Jones December 15th 1856.
NW¼ S.13 T31 R31
Purchased from U S by Stephen H Thompson November 13th 1856
NE¼ of SE¼ S13 T31 R31
Located by Stephen H Thompson Nov. 7 1856.
E½ of NE¼ S24 T31 R31

Wright Co Purchased from U S by R W Hardin July 13th 1856

E½ of NE¼ 22 31 13

Purchased from U S by John Coday September 30th 1856.

SE¼ of SW¼ 25 29 15

NW¼ of NE¼ 36 29 15

Purchased by David Young from the United States October 13th 1856.

Lot 8 NW fr ¼ S4 T29 R15

Purchased from the U S by Johnson Burniss November 19th 1859.

SW¼ of NW¼ 32 31 14

Purchased from the United States by Wilie J Kester

SW¼ of SW¼ 3 31 15

NW¼ of NW¼ 10 31 15

Purchased from U S by Geo Nash February 13, 1857

SW¼ of NW¼ 28 29 12

NW¼ of SE¼ 28 29 12

N½ of SW¼ 28 29 12

Purchased from the U S by Jacob Whittenburg

SE¼ of SE¼ 11 30 15

And WHEREAS on the ———— day of ———— 18—— the aforesaid tracts, pieces or parcels of land were approved to the said State of Missouri by the Secretary of the Interior in list No ———— of Savannah and overflowed lands in the aforesaid District and WHEREAS on the third and sixteenth days of April 1857 the said tracts were patented to the State of Missouri in patents No 4 and 5 for said District as Swamp and overflowed lands enuring to the said State under said act of 1850.

And WHEREAS by an act of Congress approved March 2 1855, entitled "an act for the relief of purchasers and locators of swamp and overflowed lands" it is directed "That the President of the United States cause patents to be issued as soon as practicable to the purchaser or purchasers locator or locators, who have made entries of the Public Lands claimed as Swamp lands either with cash or with land warrants or with scrip prior to the issue of Patents to

the State or States as provided for by the 2d Section of the Act approved Sept 28th 1850 entitled "an act to enable the State of Arkansas and other States to reclaim the Swamp Land within their limits: any decision of the Secretary of the Interior or other officer of the Government of the United States to the contrary notwithstanding;

And WHEREAS the provisions of the act of the 2d of March 1855 last above recited have been continued in force and extended by the act of 3d of March 1857 entitled "an act to confirm to the Several States the Swamp and overflowed lands selected under the act of Sept 28 1850 and the act of 2d of March 1849;"

And WHEREAS in accordance with a statute of the State of Missouri the County Courts of Barton and Wright counties Missouri in which counties the lands hereinbefore described are situate, have authorized the Governor to relinguish the title of the State in and to said lands.

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri by virtue of the authority in me vested in consideration of the premises, do hereby release and forever relinguish unto the United States of America, all rights, title, claim, or interest of any kind whatsoever of the said State of Missouri in and to the lands hereinbefore described and every portion thereof under or by virtue either of the aforesaid selection and approval or the patent heretofore issued to the said State, intending hereby to restore said lands back to the control of the United States as fully as if said approval had never been made or said patent issued.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this 27th day of June in the year of our Lord 1868 of the Independence of the United States the 92d and of the State of Missouri the 48th.

(Great Seal)

By the Governor THO. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

ON THE SETTLEMENT OF RAILROAD CLAIMS

JULY 14, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 464-465

Know all men by these presents:

That, WHEREAS Henry T Blow John J Roe Gerard B Allen John H Beach Solon Humphreys and Robert Lenox Kennedy in compliance with the provisions of an act of the General Assembly of the State of Missouri entitled "an act to sell the claims of the State against the North Missouri Rail Road Company and to amend the charter of said Company" approved March 17, 1868, have within the time named in said act, paid into the State Treasury the sum of two hundred thousand dollars in State bonds; and several of said persons with good and sufficient security approved by the Governor have entered into the two bonds to the State required by that act, one of said bonds in the sum of Five hundred thousand dollars and the other in the sum of One hundred and fifty thousand dollars each conditioned as required by said act and said parties have also caused to be filed in the office of the Secretary of State the acceptance of all the provisions of the third Section of said act on the part of the North Missouri Rail Road Company, signed by the President and Secretary thereof and attested with the Seal of said company, as required by said act

NOW THEREFORE I Thomas C Fletcher Governor of Missouri in performance of the duty imposed upon me by said act of the General Assembly do hereby transfer and assign to the said Henry T Blow John J Roe Gerard B Allen John H Beach Solon Humphreys and Robert Lenox Kennedy all the right title and claim of the State of Missouri against the North Missouri Rail Road Company on account of bonds loaned by the State to said company and interest paid by the State on Said bonds, together with the

mortgage lien held by the State upon the road and appurtenances of said company.

Done at the City of Jefferson this fourteenth day of July in the year eighteen hundred and Sixty eight.

In Testimony Whereof the Governor of the State
(Seal) of Missouri has hereunto signed his name and caused the Great Seal of the State to be hereunto affixed.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JULY 20, 1868

From the Register of Civil Proceedings, 1861-1868, p. 469

WHEREAS George Butler did on the 19th day of May 1868 in Sullivan County Missouri, shoot and kill one James F. Smart; and

WHEREAS: the said Butler has fled from justice and is still at large,

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri, by virtue of the authority in me vested by law, and for good and sufficient reasons appearing, do offer a reward of three hundred dollars for the apprehension and delivery to the Sheriff of Sullivan County Mo of the body of Geo Butler, fugitive aforesaid

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.

(Seal) Done at the city of Jefferson this 20th day of July in the year of our Lord 1868 of the independence

of the United States the 93d and of the State of Missouri the 48th.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of fugitive.

George Butler is 17 or 18 years of age, about 5 feet 7 inches tall, light complexion, light hair, blue eyes and large mouth.

OFFERING A REWARD

JULY 20, 1868

From the Register of Civil Proceedings, 1861-1868, p. 470

WHEREAS on the 28th day of May 1868 in Newton County Missouri John House and Moses Evans shot and killed one Robert Miller: and

WHEREAS the said John House and Moses Evans have fled from justice and are still at large

NOW THEREFORE I Thomas C Fletcher Governor of the State of Missouri, by virtue of the authority in me vested by law, and for good and sufficient reasons appearing do offer a reward of three hundred dollars each, for the apprehension and delivery to the Sheriff of Newton County Mo of the bodies of House and Evans the fugitives aforesaid

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson this 20th day of
(seal) July in the year of our Lord 1868, of the independence of the United States the 93 and of the State of Missouri the 48th.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secty of State.

Description of Fugitives.

John House is about 20 years of age 5 ft 8 or 10 inches high, has dark hair, dark eyes, and dark complexion and weighs about 140 lbs

Moses Evans is about 20 years of age, is about 5 feet 10 inches high, has light hair, blue eyes, and fair complexion and weighs about 140 lbs.

Both supposed to be on their way to Illinois.

ON INSPECTION OF CATTLE

JULY 23, 1868

From the Register of Civil Proceedings, 1861-1868, p. 472

WHEREAS, by an act of the General Assembly of the State of Missouri entitled "an act creating a board of Cattle Inspectors and preventing the spread of the so called Texas or Spanish fever among cattle" approved March 13 1867. The means of ample protection is afforded to the people of this State for their property against distemper or infectious diseases from Spanish Mexican Texas or Indian Cattle: and

WHEREAS any attempt to evade or resist said law by persons engaged in the driving of cattle or any attempted interference with such drovers and their property, by any person whomsoever, except in the manner provided by law, is an act of lawlessness, which the peace and good order of the State require to be promptly suppressed.

THEREFORE I Thomas C Fletcher Governor of the State of Missouri, do by this my solemn proclamation, notify all persons engaged in driving cattle into this State, that such cattle are subject to inspection by the Board of Cattle Inspectors for each County in this State, and if found to be diseased or distempered, "or in a condition to communicate any contagious or infectious disease or distemper called or known as Spanish or Texas fever" shall

be taken out of the State by the route on which they were driven into the State, or they may be killed by the Sheriff or Constable by order of the board of Cattle Inspectors.

I also request all citizens to promptly aid the officers of the law in enforcing the provisions of the act above referred to: and I do also notify the people of the several Counties of this State that any interference with drovers or with their cattle except under the direction of the Sheriff or of a constable of the County having a writ from the Board of Cattle Inspectors will be regarded by me as sufficient cause for subjecting the County in which such riotous and lawless acts are committed to the expense of paying Militia to enforce the law

In Testimony Whereof I have hereunto set my hand and caused the Great Seal of the State to be hereunto affixed at the City of Jefferson
(Seal) this twenty-third day of July A. D. 1868 of the Independence of the United States the ninety third and of the State of Missouri the Forty eighth.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

AUGUST 12, 1868

From the Register of Civil Proceedings, 1861-1868, p. 480

WHEREAS on or about the sixth day of July 1868, Charles Macauley was foully murdered at Kansas City, Mo., by some person or persons unknown; and

WHEREAS the said murderer or murderers have hitherto escaped detection and are still at large

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the authority, in me

vested by law and for good and sufficient reasons appearing, do offer a reward of Two Hundred and Fifty Dollars for the apprehension and delivery to the Sheriff of Jackson County, of the body of each of the murderers aforesaid; the reward to be paid when the party claiming the same shall furnish to the Circuit Attorney evidence sufficient to establish the identity of the criminals.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of
(L. S.) Jefferson this 12th day of August, in the year of our Lord 1868, of the Independence of the United States the 93d and of the State of Missouri the 49th.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

AUGUST 13, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 480-481

WHEREAS in resisting the officers of the law in the performance of their legal duties, one Sate Harris and certain other desperadoes whose names are unknown did on the 4th day of August, 1868, near Warsaw, Mo fire upon and kill the Deputy Sheriff of Benton Co Mo and one other man and wound another and

WHEREAS the said Sate Harris and his accomplices have fled from justice and are still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the authority in me vested by law and for good and sufficient reasons appearing, do offer a reward of Three Hundred Dollars each, for the apprehension and delivery of the bodies of the murderers aforesaid, or any to the Sheriff of Benton County Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of
(L. S.) Jefferson this 13th day of August in the year of our Lord 1868, of the Independence of the United States the 93d and of the State of Missouri the 49th.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secy of State.

OFFERING A REWARD

AUGUST 19, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 482-483

WHEREAS Robert Fisher did, at Calhoun, Henry County, Mo. on the 27th day of September 1867, murder one Henry Jennings; and

WHEREAS the said Robert Fisher has fled from justice and is still at large—

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the authority in me vested by law and for good and sufficient reasons appearing, do offer a reward of Two Hundred and Fifty Dollars for the apprehension and delivery to the Sheriff of Henry County, of the body of the aforesaid murderer.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri: Done at the City of
(L. S.) Jefferson this 19th day of August, in the year of our Lord 1868; of the Independence of the United States the 93d and of the State of Missouri the 49th.

THO. C. FLETCHER.

By the Governor
FRANCIS RODMAN, Secretary of State.
by EUGENE F. WEIGEL, chief Clerk.

ON RELINQUISHMENT OF LAND

SEPTEMBER 23, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 488-489

To All to Whom these Presents shall come, Greeting:

Know ye that, WHEREAS under the provisions of the Act of Congress approved September 28th, 1850, entitled "An Act to enable the State of Arkansas and other States to reclaim the Swamp Lands within their limits" the Surveyor General of the United States for the State of Missouri reported to the Commissioner of the General Land Office the following described tracts, pieces or parcels of land in the districts of lands subject to sale at Springfield and Plattsburg, Missouri, as enuring to said State under the law aforesaid, to wit:

(Wright Co.	¼ NW ¼ of SE ¼	Sec. 14	T30	R15
	SE ¼ of NW ¼	8	30	14
	SW ¼ of NE ¼	8	30	14
	N ½ of SE ¼	8	30	14
	NW ¼ of	18	30	12
(Carrol Co.)	SW ¼ of SW ¼	14	52	24

And WHEREAS the said tracts, pieces or parcels of land hereinbefore described were entered at the aforesaid Land Office, as follows:

Bought by Martha Lusk, 22d Dec. 1856

(Wright Co.)	NW ¼ of SE ¼	Sec. 14	T.30	R.15

Bought by Milton Jackson, 16th Jany. 1857—

	SE ¼ of NW ¼	Sec. 8	T.30	R.14
	SW ¼ of NE ¼	8	30	14
	N ½ of SE ¼	8	30	14

Bought by R. H. Boatman

	NW ¼ of	Sec. 18	T.30	R.12

Located by R. B. Hudson, July 15 1852

(Carroll Co.)	SW ¼ of NW ¼	Sec.14	T.52	R.24

And WHEREAS the aforesaid tracts, pieces or parcels of land were on the—— day of —— 18—, approved to the said State of Missouri by the Secretary of the Interior, in List No.—— of Swamp and Overflowed Lands in the aforesaid District;

And WHEREAS on the —— day of — 18— the said tracts were patented to the State of Missouri in Patent No. —for said District as Swamp and Overflowed Lands, enuring to said State under said act of 1850.

And WHEREAS by an Act of Congress, approved March 2, 1855, entitled "An Act for the relief of purchasers and locators of Swamp and Overflowed Lands" it is directed "That the President of the United States cause Patents to be issued as soon as practicable to the purchaser or purchasers, locator or locators who have made entries of the public lands, claimed as swamp lands, either with cash or with land warrants or with scrip, prior to the issue of patents to the State or States as provided for by the second section of the act approved Sept. 28, 1850, entitled "An Act to enable the State of Arkansas and other States to reclaim the swamp lands within their limits," any decision of the Secretary of the Interior or other officer of the Government of the United States to the contrary notwithstanding;

And WHEREAS the provisions of the act of the 2nd of March, 1855, last above recited have been continued in force and extended by the act of the 3d of March 1857, entitled "An Act to confirm to the several States the Swamp and Overflowed Lands selected under the act of Sept. 28 1850 and the act of the 2nd of March 1849.

And WHEREAS the County Courts of Wright and Carroll Counties, Missouri, in which counties the lands hereinbefore described are situate, in accordance with a Statute of the State of Missouri, have authorized the Governor to relinquish the title of the State in and to said lands,

NOW THEREFORE I, George Smith, Lieutenant and Acting Governor of the State of Missouri, by virtue of the authority in me vested, in consideration of the premises,

do hereby release and forever relinguish unto the United States of America, all right, title, claim or interest of any kind whatsoever of the said State of Missouri in and to the lands hereinbefore described and every portion thereof acquired under and by virtue either of the aforesaid selection and approval, or the patent heretofore issued to the said State, intending hereby to restore said lands back to the control of the United States, as fully as if said approval had never been made or said patent issued.—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri:

(L. S.) Done at the City of Jefferson this 23d day of September in the year of our Lord 1868, of the Independence of the United States the Ninety-third and of the State of Missouri the Forty-ninth.

GEO. SMITH,
Actg. Gov.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

OCTOBER 15, 1868

From the Register of Civil Proceedings, 1868-1874, p. 3

WHEREAS Ballard Love was on the seventh day of October—1868—at California, Mo., killed by one John Foster, and

WHEREAS the said John Foster has escaped from justice and is still at large;

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the power in me vested by law and for good and sufficient reasons appearing, do hereby offer a reward of Two Hundred and Fifty Dollars for the apprehension and delivery of the body of the aforesaid John Foster to the Sheriff of Moniteau County.

In Testimony Whereof I have hereunto set my hand and caused the Great Seal of the State of Missouri to be affixed: Done at the City of
(L. S.) Jefferson this fifteenth day of October in the year of our Lord one thousand, eight hundred and sixty-eight; of the Independence of the United States the Ninety-third, and of the State of Missouri the Forty-ninth.

By the Governor:

THO. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

OCTOBER 27, 1868

From the Register of Civil Proceedings, 1868-1874, p. 6

WHEREAS Henry D. Christian was murdered on the night of the 23d. of October, in the City of St. Louis, Mo., by some person unknown; and

WHEREAS the said murderer has escaped detection and arrest, and is still at large,

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the authority in me vested, and for good and sufficient reasons appearing, do offer a reward of Three Hundred Dollars, ($300.) for the apprehension and delivery of the body of the murderer aforesaid to the Chief of Police of the City of St. Louis.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal
(L. S.) of the State of Missouri: Done at the City of Jefferson, this 27th day of October in the year of our Lord 1868, of the Independence of the United States the 93d and of the State of Missouri the Forty-ninth.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

ON THANKSGIVING

NOVEMBER 4, 1868

From the Register of Civil Proceedings, 1868-1874, pp. 7-8

The year now drawing to a close has brought countless blessings to us as a people. I observe the sanctions of custom, and hereby designate and appoint

Thursday, the Twenty-sixth day of the present month, as a day of devout remembrance and general Thanksgiving.

Assembled in re-united families at our cherished homes and in our places of public worship, let us recall with gratitude all the goodness of God, and heartily thank Him:

That the peace of the State has been preserved;

That the harvests have generally been abundant;

That prosperity has attended every department of the pursuits of industry;

That Arts and Sciences' have progressed and our educational, benevolent and religious organizations and institutions have prospered and grown in power and usefulness;

That honest labor has in all the vocations of life been fully rewarded;

That a just and free government is better understood and more fully appreciated by us;

That our population and wealth as a State have largely increased;

That we have advanced in all the elements of a progressive civilization; and

That a spirit of christian charity and good will towards each other is steadily growing among the people.

On the day of our thanksgiving and praise to our Heavenly Father for all His mercies towards us, let us not forget the poor and the suffering. Renewing our devotion to the welfare and honor of Missouri, let us reverently pray God to make us, as a State and as a Nation, yet more truly a free, united and happy people.

Given under my hand and the Great Seal of the State of Missouri: at the City of Jefferson, this
(L. S.) fourth day of November, in the year of our Lord eighteen Hundred and Sixty-eight.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

NOVEMBER 18, 1868

From the Register of Civil Proceedings, 1868-1874, p. 12

WHEREAS Mrs. Marshall and her son were murdered on the night of the second of November, 1868, in Platte County, Missouri, by some person or persons unknown, and

WHEREAS the said unknown murderers have escaped detection and arrest and are still at large;

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the authority in me vested and for good and sufficient reasons appearing, do offer a reward of Three Hundred Dollars for the apprehension and delivery to the Sheriff of Platte County, of each and every one of the unknown murderers aforesaid.

In Testimony Whereof I have hereunto signed my name and caused to be affixed the Great
(L. S.) Seal of the State of Missouri: Done at the City of Jefferson this 18th day of November in the year of our Lord eighteen hundred and sixty-eight.

THO. C. FLETCHER.

By the Governor:
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

NOVEMBER 28, 1868

From the Register of Civil Proceedings, 1868-1874, p. 21

WHEREAS it has been made known to me that Major Jas. K. Scott was shot and killed on the night of the 21st. of October, 1868, in Clay County, Missouri, by some person unknown; and

WHEREAS the murderer has hitherto escaped detection and arrest, and is still at large;

NOW THEREFORE I, Thomas C. Fletcher, Governor of the State of Missouri, by virtue of the authority in me vested, for good and sufficient reasons appearing, do offer a reward of Three Hundred Dollars for the apprehension and delivery to the Sheriff of Clay County, Mo., of the murderer aforesaid, accompanied with evidence that will lead to his conviction.

In Testimony Whereof I have hereunto signed my name and caused to be affixed the Great Seal of the State of Missouri: Done at the
(L. S.) City of Jefferson the Twenty-eighth day of November, A. D. 1868; of the Independence of the United States the 93d; and of the State of Missouri the 49th.

THO. C. FLETCHER.

By the Governor:

FRANCIS RODMAN, Secretary of State.

ON THE NORTH MISSOURI RAILROAD

DECEMBER 5, 1868

From the Register of Civil Proceedings, 1868-1874, p. 28

EXECUTIVE MANSION, CITY OF JEFFERSON, DECEMBER 5, 1868.

Having on the 2nd day of December, 1868, passed from Macon, Mo. to a point eight miles north of the line between the States of Missouri and Iowa on the North Missouri Railroad,

And having on the 3d day of December, 1868, passed from the intersection of the West Branch of the North Mo. R. R. with the main line to Kansas City on the West Branch of the North Mo. R. R.

I certify that on said days a train of cars was run on each of said roads between the points mentioned above.

The North Missouri Railroad being completed to the Iowa State Line within nine months after the 17th of March, 1868, and the West Branch being completed to a junction with the Kansas City and Cameron Railroad within less than eight miles of Kansas City, and the said North Missouri Railroad having made a contract with the Kansas City and Cameron Railroad Company by which the trains of the West Branch are permitted to run over said road to and from Kansas City.

It is hereby certified that the obligors in bond given as required by the 2nd section of the act entitled "An Act to sell the claim of the State against the North Missouri Railroad Company and to amend the charter of said company," approved March 17th 1868, have fully complied with the terms and conditions of said bond, and have done and performed all and singular the acts required of them thereby to be done and performed and are thereby forever discharged from further liability on account of said bond.

(L. S.)

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

GRANTING A TRACT OF LAND

DECEMBER 10, 1868

From the Register of Civil Proceedings, 1868-1874, p. 26

The State of Missouri to all who shall see these Presents—Greeting:

WHEREAS there has been produced to me satisfactory evidence that Frederick Davenport of the County of Atchison has paid to the Register of the State Land Office at Savannah, Missouri, the sum of Fifty Dollars, being in full for the North East Quarter of the North East Quarter of section three (3) in Township sixty-four (64) of range forty-one (41), containing Forty acres, at the price of one dollar and twenty-five cents per acre, being part of the lands selected under an act of Congress, entitled "An Act to appropriate the proceeds of the sales of the Public Lands and to grant pre-emption rights," approved September 4th 1841.

NOW THEREFORE, in consideration of the premises, and in conformity with the provisions of an act of the General Assembly of the State of Missouri, entitled "An Act to perfect the title to lands," approved the 25th day of March, 1868, I, Thomas C. Fletcher, Governor of the State of Missouri, have given and granted, and by these presents do give and grant to the said Frederick Davenport and to his heirs, the above tract of land, to have and to hold the same, with the appurtenances unto the said Frederick Davenport, his heirs and assigns forever.

In Testimony Whereof I, Thomas C. Fletcher, Governor of the State of Missouri, have caused these letters to be made patent and have hereto set
(L. S.) my hand and caused the Great Seal of the State of Missouri to be affixed, at the City of Jefferson, this Tenth day of December, A. D. 1868.

By the Governor: THO. C. FLETCHER.

FRANCIS RODMAN, Secretary of State.

MEMORANDA OF PROCLAMATIONS AND WRITS OF ELECTION

JANUARY 4, 1865

From the Register of Civil Proceedings, 1861-1868, p. 141

The Governor issued a writ of Election directed to the Sheriff or Coroner of Callaway County for the Election of a Representative from said County to the House of Representatives of the 23d General Assembly of the State of Missouri to fill the vacancy caused by the Expulsion from said House of John Sampson.

JANUARY 23, 1865

From the Register of Civil Proceedings, 1861-1868, p. 146

The Governor issued a Proclamation for the Apprehension of one E. W. McDearmon, Mayor of Boonville, County of Cooper, who on the 19th day of January 1865 shot and mortally wounded Henry Hillsman, Private in 1st Missouri Infantry and offered a reward of 300$ for the apprehension and safe delivery of said McDearmon to the Sheriff of Cooper County.

JANUARY 23, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 146-147

The Governor issued a writ of Election directed to the Sheriff of Girardeau County for the Election of a Senator from said County to the 23 General Assembly, to fill the vacancy caused by the Resignation of James R. McCormick, 26 Senatorial District.

MARCH 6, 1865

From the Register of Civil Proceedings, 1861-1868, p. 155

The Governor issued a writ of Election for the Election of a Senator from the second and one from the fourteenth Sen. District to fill vacancy occurred by resignation of Senator Geo. W. Anderson from the 2d and R. T. Van Horn from the 14th Dist. to be elected April 10th 1865—.

APRIL 4, 1865

From the Register of the Civil Proceedings, 1861-1868, p. 162

The Governor issued a writ of Election to fill the vacancy existing in the third Senatorial district, caused by the Convention vacating the seal of Thomas B. Harris in the State Convention of Missouri; this election to be held on the 24th of April 1865, with 10 days notice.

MAY 2, 1865

From the Register of Civil Proceedings, 1861-1868, p. 178

The Governor issued a Writ of Election, to be held on the 6th day of June A. D. 1865, to fill the vacancy of Senator from the 26th Senatorial district, caused by the death of William T. Bowman, late Senator from said district.

MAY 6, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 179-180

The Governor issued a Writ of Election, to fill the vacancy caused by the resignation of Gustav Buire, as one of the Representatives of St. Charles Co.; this said election to be held on the 6th day of June, 1865.

MAY 16, 1865

From the Register of Civil Proceedings, 1861-1868, p. 183

The Governor issued two Writs of Election to fill the following vacancies

To wit:

A Vacancy caused by the resignation of N. McDonald as one of the Representatives for St. Louis County, this Election to be held on the 6th of June, 1865.

A Vacancy caused by the death of John F. Powers, as one of the Representatives for Linn County, this Election to be held on the 6th of June, 1865.

MAY 20, 1865

From the Register of Civil Proceedings, 1861-1868, pp. 185-186

The Governor issued a Writ of Election, to fill the vacancy caused by the resignation of W. C. Lovelace, as one of the Representatives of Montgomery County; this said Election to be held on the 6th of June A. D. 1865.

JUNE 23, 1865

From the Register of Civil Proceedings, 1861-1868, p. 193

The Governor issued a "Writ of "Election" to fill a vacancy caused by the resignation of E. V. Wilson as Senator of the 7th Senatorial district. Said election to be held on the 10th of October A. D. 1865.

AUGUST 2, 1865

From the Register of Civil Proceedings, 1861-1868, p. 201

The Governor issued a writ of election to fill the vacancy caused by the resignation of Geo. W. Houts, representative from Johnson Co.; this said Election to be held on the fifth day of September, 1865.

AUGUST 3, 1865

From the Register of Civil Proceedings, 1861-1868, p. 202

The Governor issued a writ of Election to fill the vacancy caused by the resignation of John D. Myers, a Representative from Bates Co.; this said Election to be held on the fifth day of September, 1865.

AUGUST 11, 1865

From the Register of the Civil Proceedings, 1861-1868, p. 206

The Governor issued a writ of election to fill the vacancy caused by the removal from the 15th Senatorial District of A. C. Marvin, senator from said district; this said election to be held on the fifth day of September, 1865.

AUGUST 26, 1865

From the Register of Civil Proceedings, 1861-1868, p. 208

The Governor issued a writ of election to fill the vacancy in the 23d General Assembly, caused by the death of the Hon. B. F. Willson; said election to be held on the 26th day of September, 1865.

AUGUST 29, 1865

From the Register of Civil Proceedings, 1861-1868, p. 208

The Governor issued writs of election for the election of one Representative in each of the following counties,—to wit:

Butler, Carter, Dunklin, Howell, Oregon, Ozark, Ripley and Shannon,—

Said election to be held on the 31st day of October 1865.

SEPTEMBER 12, 1865

From the Register of Civil Proceedings, 1861-1868, p. 210

The acting Governor issued a writ of election to fill the vacancy existing in the 15th Senatorial District on account of the removal from said district of the Hon. A. C. Marvin, said election to be held on the 26th day of October 1865,—former writ to the same effect having been insufficiently executed by the Sheriff of Johnson Co.

SEPTEMBER 12, 1865

From the Register of Civil Proceedings, 1861-1868, p. 210

The acting Governor issued a writ of election for the election of one representative from Howard Co., the Hon. Clark H. Green having removed from said County; said election to be held on the 26th day of October 1865.

SEPTEMBER 12, 1865

From the Register of Civil Proceedings, 1861-1868, p. 210

The acting Governor issued a writ of Election for the election of one representative from Henry County to fill the vacancy caused by the resignation of the Hon. W. Weaver, said election to be held on the 26th day of October, 1865.

SEPTEMBER 30, 1865

From the Register of Civil Proceedings, 1861-1868, p. 212

The Governor issued a writ of election to fill the vacancy caused by the resignation of the Hon. E. H. E. Jameson as Representative from St. Louis County; said election to be held on the 26th day of October 1865.

OCTOBER 7, 1865

From the Register of Civil Proceedings, 1861-1868, p. 214

The Governor issued writs of election for the election of one Representative from each of the following Counties, to wit: Stoddard County, to fill the vacancy caused by the Hon. A. Montgomery having failed to file his oath of loyalty as prescribed by the Constitution of this State; Election to be held Oct. 28, 1865. Christian County; to fill the vacancy caused by the Hon. T. W. Allred having failed to file his oath of loyalty as prescribed by the Constitution of this State. Election to be held Oct. 28, 1865.

OCTOBER 9, 1865

From the Register of Civil Proceedings, 1861-1868, p. 214

The Governor issued a writ of election for the election of one Representative from De. Kalb County, to fill the vacancy caused by the death of the Hon. W. R. Logan;— said election to be held on the 28th day of October, 1865.

OCTOBER 10, 1865

From the Register of Civil Proceedings, 1861-1868, p. 215

The Governor issued a writ of election for the election of one Representative from Vernon County; said County not having been represented. Election to be held Octbr. 28/65.

OCTOBER 11, 1865

From the Register of Civil Proceedings, 1861-1868, p. 215

The Governor issued a writ of election for the election of a Representative from St. Louis County, to fill the vacancy caused by the withdrawal of the Hon. E. H. E. Jameson. Said election to be held on the 28th day of October A. D. 1865.

NOVEMBER 9, 1865

From the Register of Civil Proceedings, 1861-1868, p. 219

The Governor issued a writ of election for the election of one Representative from Johnson County, to fill the vacancy caused by the resignation of the Hon. Thos. M. Houts; said election to be held on the 21st day of November, A. D. 1865.

NOVEMBER 24, 1865

From the Register of Civil Proceedings, 1861-1868, p. 222

The Governor issued a writ of election to the Sheriff of Saline County for the election of one Senator from the sixteenth Senatorial District, to fill the vacancy declared as existing in said district by the Senate of the 23d General Assembly.

Said election to be held on the twelfth day of December A. D. 1865.

NOVEMBER 27, 1865

From the Register of Civil Proceedings, 1861-1868, p. 223

The Governor issued a writ of election to the Sheriff of Perry County for the election of one Representative, to fill the vacancy caused by the resignation of the Hon. John C. McBride. Said election to be held on the 12th day of December, 1865.

DECEMBER 20, 1865

From the Register of Civil Proceedings, 1861-1868, p. 227

The Governor issued a Writ of Election to the Sheriff of St. Louis County for the election of one Representative, to fill the vacancy caused by the resignation of the Hon. E. W. Decker; said election to be held on the ninth day of January A. D. 1866.

DECEMBER 29, 1865

From the Register of Civil Proceedings, 1861-1868, p. 227

The Governor issued a Writ of Election to the Sheriff of Saline County for the election of one Representative, to fill the vacancy caused by the resignation of the Hon. B. H. Wilson; said election to be held on the sixteenth day of January, 1866.

JANUARY 8, 1866

From the Register of Civil Proceedings, 1861-1865, p. 228

The Governor issued a Writ of Election to the Sheriff of Cape Girardeau County for the election of a Judge of the Court of Common Pleas for the city and township of Cape Girardeau, to fill the vacancy caused by the resignation of George H. Green; said election to be held on the twenty-second day of January, A. D. 1866.

JANUARY 16, 1866

From the Register of Civil Proceedings, 1861-1868, p. 230

The Governor issued a Writ of Election to the Sheriff of each of the Counties of Clay, Douglass and Ozark for the election of one Representative to fill the vacancies occasioned by the death of the Hon., Thos. C. Gordon, Representative from Clay County and the Hon. T. P. Bruton, Representative from Douglas and Ozark counties; said election to be held on the first day of February A. D. 1866.—Time extended to the ninth day of February A. D. 1866.

JANUARY 30, 1866

From the Register of Civil Proceedings, 1861-1868, p. 233

The Governor renewed the Writ of Election issued to Sheriff of Cape Girardeau County for the election of a Judge of the Court of Common Pleas of the City and Township of Cape Girardeau (see page 228); and ordered that said election be held on the twenty fourth day of February, A. D. 1866.

JANUARY 18, 1867

From the Register of Civil Proceedings, 1861-1868, p. 327

The Governor issued a writ of election to the Sheriff of Texas County, commanding him to order an election for Representative from said County to be held on Tuesday the nineteenth day of February, A. D. 1867, it having been duly certified to him that a vacancy existed in said office of Representative.

FEBRUARY 5, 1867

From the Register of Civil Proceedings, 1861-1868, p. 334

The Governor issued a writ of election to the Sheriff of Stoddard County for the election of a Representative from said County to fill the vacancy caused by the ineligibility of James Odell; said election to be held on the fifth day of March, A. D. 1867.

MARCH 21, 1867

From the Register of Civil Proceedings, 1861-1868, p. 351

The Governor issued writs of election to the Sheriffs of the Counties of Callaway, Maries, Pemiscot and Shannon for the election of one Member of the House of Representatives of the 24th General Assembly of the State of Missouri from each of said counties, to fill vacancies caused by failure to elect duly qualified members; said election to be held on Tuesday, the sixth day of August, A. D. 1867.

APRIL 25, 1867

From the Register of Civil Proceedings, 1861-1868, p. 360

The Governor issued a writ of election to the Sheriff of Newton County for the election of a member of the House of Representatives of the 24th General Assembly to fill the vacancy caused by the resignation of Hon. S. M. Hargrove; said election to be held on Tuesday, the fifth day of November, A. D. 1867.

OCTOBER 7, 1867

From the Register of Civil Proceedings, 1861-1868, p. 393

The Governor issued a writ for special election directed to the Sheriff of Platte County for the election of one representative to the State Legislature to fill the vacancy caused by the death of Hon. H. J. Wolf, election to be held on Tuesday after 1st Monday in November next.

OCTOBER 7, 1867

From the Register of Civil Proceedings, 1861-1868, p. 393

The Governor issued a writ for a Special election for a member of the House of Representatives of the 24th General Assembly of the State of Missouri vice James S. McMurtry resigned. Election to be held Tuesday after the 1st Monday in November next.

OCTOBER 7, 1867

From the Register of Civil Proceedings, 1861-1868, p. 393

The Governor issued writs of Election to the Sheriffs of the several Counties composing the third congressional district, for election of a member of the Fortieth congress. vice Hon. Tho E. Noell deceased. election to take place Tuesday after the first Monday in November next.

DECEMBER 10, 1867

From the Register of Civil Proceedings, 1861-1868, p. 409

The Governor issued a writ for a special election directed to the Sheriff of Iron County for the election of a State Senator from the 24th Senatorial district to fill vacancy caused by the resignation of Hon. J. R. McCormick.

DECEMBER 24, 1867

From the Register of Civil Proceedings, 1861-1868, p. 416

The Governor issued a writ to the Sheriff of Franklin calling a Special election to be held on Saturday the fourth day of January 1868 to elect a member of the Legislature from said County Vice Henry Huhn resigned.

FEBRUARY 4, 1868

From the Register of Civil Proceedings, 1861-1868, pp. 423-424

The Governor issued a writ for special election directed to the Sheriff of Dent County for the election of one Representative to the State Legislature to fill the vacancy caused by the resignation of W. T. Williams representative from said County of Dent, election to take place or be held on 22 February A. D. 1868.

AUGUST 15, 1868

From the Register of Civil Proceedings, 1861-1868, p. 482

The Governor issued a writ of election to the Sheriff of St. Louis County for the election of a Judge of the Probate Court, vice McDonald, resigned; said election to be held on the first Tuesday after the first Monday in November next.

AUGUST 17, 1868

From the Register of Civil Proceedings, 1861-1868, p. 482

The Governor issued a writ of election to the Sheriffs of the Counties of Cass, Bates, Vernon, Johnson, Henry, St. Clair, Hickory, Benton, Pettis, Cooper, Moniteau,

Cole, Morgan, Miller and Camden, for the election of a member of Congress from the Fifth Congressional District to fill the vacancy caused by the resignation of the Hon. J. W. McClurg; said election to be held on the first Tuesday after the first Monday in November next.

NOVEMBER 13, 1868

From the Register of Civil Proceedings, 1868-1874, pp. 9-10

The Governor issued his Proclamation ordering a special Election for Representative in the County of Barry, it having been certified to him that the vote for said office in said county was a tie; said special Election to be held on Saturday, the Twenty-sixth day of December, A. D. 1868.

GOVERNOR JOSEPH WASHINGTON McCLURG

JOSEPH W. MCCLURG
Governor 1869-1871

JOSEPH WASHINGTON McCLURG

BY

C. C. DRAPER

Joseph W. McClurg, pioneer merchant, patriot, statesman, was a native Missourian, born in St. Louis county, February 22, 1818.

As a wholesale merchant in the Ozarks at a time when Southwest Missouri was little more than a wilderness; as a builder of roads and a founder of communities; as a staunch patriot of the highest type, sacrificing all his time, energies, and accumulated wealth in his tireless efforts to keep Missouri in the Union at the time in her history when her loyalty hung in the balance; as a statesman of the highest integrity, with the keenest sense of justice and a stern loyalty to duty, his entire life was characterized by a definiteness of purpose and determination that made him an outstanding figure in the history of the State of Missouri.

Although born in Missouri, Joseph W. McClurg was taken to Pittsburgh, Pennsylvania, at an early age. Here his grandfather, Joseph McClurg, was a pioneer in the great industry that was to make Pittsburgh famous, having built and operated the first iron foundry west of the Allegheny Mountains. Joseph W. McClurg was sent from Pittsburgh to Xenia, Ohio, where he received most of his education, finishing his studies at Oxford, Ohio. It is said that he studied for the ministry. Be that as it may, he was familiar with Greek, Latin, and Hebrew, and he ever manifested a deep reverence for, and faith in, the God of his Scotch Presbyterian ancestors. But the call of the great undiscovered world was too strong in his veins, and while yet in his early teens he set out for the West. At sixteen he taught school in the State of Mississippi. At nineteen, we find him once more in Missouri as deputy sheriff of St. Louis county, his activities in the apprehension of criminals leading him as far as Texas. The attractions

of this great new country were too much for his romantic spirit, and he decided to remain. Here he studied law, and was admitted to the bar, but there is no record of his having practiced the profession.

In 1841, at the age of twenty-three, he returned to Missouri from Texas, a long and tiresome journey in those days, at least twelve hundred miles of the trip being made on mule back, the purpose of his trip being his marriage to Miss Mary C. Johnson.

In 1843, deciding to go into the mercantile business, he opened a store in the little town of Hazelwood, now in Wright county, changing his location, in about 1852, to Linn Creek, Camden county, where he, together with two other members of the firm, built up a wholesale and retail business which was considered at that time stupendous. The integrity of the Linn Creek merchant became proverbial. His weights and measures needed no official inspection to satisfy the doubts of any customer. The big store on the Osage became the chief trading point for Southwest Missouri; it is said that there was not a local merchant between Linn Creek and northwest Arkansas who did not buy his goods of McClurg; and merchandise, both wholesale and retail, was distributed by this firm over a tributary country reaching into Kansas, Arkansas, and the Indian Territory.

In 1849, previous to his change of location from Hazelwood to Linn Creek, he outfitted an expedition of twenty-four ox teams, and made the overland trip to California in quest of gold—one of the famous forty-niners of American history.

At the breaking out of the Civil War in 1861, Joseph W. McClurg took a strong stand for the Union, and was one of the loyal men who spared neither time, energy, nor wealth in holding Missouri from seceding. He organized and equipped under authority of the Department of the Missouri, what was called the "Osage Regiment of Missouri Volunteers" and the "Hickory County Battalion," in all about seventeen companies of men. Under Colonel McClurg's command, this home guard (according to Con-

gressional Report No. 1849) formed a nucleus around which the loyal men of that section of Missouri gathered, encouraging and protecting whatever of loyalty there was in that part of the State and correspondingly discouraging the open manifestation of rebellion and sympathy with secession. These troops rendered substantial military service, protecting that region which was more than once overrun by the Confederate Army. This home guard was supplied with provisions, camp utensils, powder, lead, etc., from the mercantile firm of which Col. McClurg was a partner, the actual amount furnished being from $6,000 to $8,000. A part of this was later collected from the men, but over $4,000 remained a dead loss to the firm. In addition to this amount furnished from his establishment, Col. McClurg paid out of his own pocket for uniforms, sabers, revolvers, and other supplies for the troops, over $1,000, for which he received, and for which he claimed, no pay. Later he was appointed colonel of the 8th M. S. M. Cavalry.

In 1862 he was elected to Congress by his district, then comprising ten counties. This meant for him to resign his office as colonel. In Congress he served three terms, being re-elected in 1864 and again in 1866. It was while serving his first term, during Lincoln's administration as President that Col. McClurg cast his vote for the abolition of slavery. Although a slave owner in Missouri, his wife having inherited slaves, slavery was contrary to all of his principles of right and justice, and he immediately took the necessary steps to set all his slaves free some time before the Emancipation Proclamation was issued. These negroes preferred to continue working in his household, but from that time on received regular wages and were treated as free people.

While still in Congress, in 1868, he was nominated for Governor of Missouri by the Republican Party, resigning his seat in Congress during the campaign. He was elected, and served one term, comprising the years 1869 and 1870. His administration was quiet, busy in the struggle to repair the ravages of war. Railroads were extended, the great

Eads Bridge at St. Louis was built (then spoken of as "the boldest piece of engineering known"), agriculture encouraged, foreign capital invited and welcomed to develop the natural resources of the State, the School of Mines and Metallurgy located at Rolla, public schools built in every county, the Agricultural College located at Columbia, and Normal Schools established at Kirksville and Warrensburg. With foresight and clear-headed judgment in advance of his day, Governor McClurg not only urged upon the legislature the passage of laws prohibiting the manufacture of intoxicants, but was also an advocate of woman suffrage. During his administration a more sincere regard for law and its enforcement were fostered in the hearts of the people, and every effort made to put in motion the wheels of progress and prosperity and peace.

One great problem, however, remained to be solved, that of suffrage. The ex-Confederates were still disfranchised and the negroes were yet denied the right to vote. Governor McClurg, at the beginning of his administration, urged upon the Legislature the ratification of the Fifteenth Amendment to the Constitution of the United States—the amendment that guaranteed equal franchise rights to all loyal male citizens without regard to race or color—on the ground that "justice, humanity, and good faith in vindicating the truth that 'all men are created equal' alike required its ratification." He maintained that the amendment should be ratified without consideration of the re-enfranchisement of the Confederates, insisting that their reinstatement was already provided for in the State Constitution, under proper conditions. Missouri being a border state, with strong prejudices against the negro, a long fight ensued before the final ratification of the Fifteenth Amendment in 1870.

At this time the Republican Party divided itself into two factions—the Radical Republicans and the Liberal Republicans. The question which caused the split in the party was primarily the matter of when and how the disqualified white citizens were to be restored the franchise.

The Radical Republicans supported the declaration in the national platform which read: "That we highly commend the spirit of magnanimity and forebearance with which men who have served in the rebellion, but who now frankly and honestly co-operate with us in restoring the peace of the country, and reconstructing the Southern State governments upon the basis of impartial justice and equal rights, are received back into the communion of the loyal people; and we favor the removal of the disqualifications and restrictions imposed upon the late rebels in the same measure as the spirit of disloyalty will die out, and as may be consistent with the safety of the loyal people." Governor McClurg, with the so-called Radicals, held that the time had not arrived when it could be considered "consistent with state and national safety" for the disqualified citizen to be allowed full franchise. The Liberals were willing to compromise, to disregard the State Constitution, and to admit the disqualified into full fellowship at once.

Governor McClurg was nominated by the Radical Republicans, B. Gratz Brown by the Liberal Republicans. The Democratic Party made no nominations of their own, but supported the platform of the Liberals. Governor McClurg was defeated in the election. In giving up to another the "unsolicited, but not unappreciated, honor" of the office of governor, Governor McClurg returned to private life with the dignity, the simplicity, and the consciousness of faithful service performed, which only carried on his attitude expressed at the beginning of his administration. "An office of itself is not an honor. He alone is worthy of respect who performs faithfully his part whether in an humble or more exalted sphere in life."

Governor McClurg at this time withdrew from public life and returned to Linn Creek, where he again entered the mercantile business, endeavoring to pick up the threads of an enterprise destroyed by the war and swept to the four winds. Practically nothing was left of the once vast business. Twice the Southern forces had over-run the territory; once a loss of $50,000 occurred by fire; and, ac-

cording to Congressional Report 1849, above referred to, the rebels captured at one time and took away or destroyed the entire stock of the firm, amounting to about $100,000. None of this was ever repaid him by the government. War debts hung in a dead weight around his neck. The remainder of his life was spent in a struggle to build up this business and various other enterprises in order to meet the demands of unjust creditors.

Governor McClurg remained in private life until 1890, when he served four years as Registrar of Deeds in the United States Land Office at Springfield, Missouri. This was his last public service.

For many years before his death, the "Old Governor," as he came to be known by all, was a familiar and loved figure in his home town of Lebanon, his long white beard, quaint, old-fashioned dress, and dignified, courteous, and withal cheerful bearing marking him the product of an epoch long departed. He died at the home of a daughter near Lebanon, in 1900, at the age of eighty-three.

A simple granite shaft, erected by the State of Missouri, marks the last resting place of Governor McClurg in the beautiful Lebanon Cemetery. He lived and died a man, strong in his convictions, true to his friends and principles, but with malice toward none. A man of simple tastes, kindly disposition, wide experience, broad vision, definite purpose, Joseph W. McClurg had the qualities that make for greatness.

INAUGURAL ADDRESS

JANUARY 12, 1869

From the Journal of the Senate, pp. 45-62

Senators and Representatives:

In obedience to a time-honored custom, having taken, in your presence, the oath of office, I proceed to address you.

Never self-confident nor unsolicitous as to the great responsibilities of the position to which I have been called and elected by a flattering majority of the loyal voters of this great commonwealth, I approach my duties relying upon wisdom and strength from Him who has regard to individuals, while, at the same time, He holds nations in His hand and weighs them as in a balance.

With wisdom from Him, and such assistance as I shall reasonably expect from all loyal and law-abiding citizens, and from you, Senators and Representatives, I shall confidently hope our State will move forward in her destined course of greatness to herself and of prosperity and happiness to her people.

I cannot find language with which to suitably clothe an expression of my most sincere and heartfelt thanks for the unsolicited, but not unappreciated, honor that has been conferred upon me.

If I were devoid of patriotism, this unasked honor would stimulate me to constant efforts to discharge the duties imposed. An intended honor so generously conferred should not be tarnished.

But suffer me to express the opinion that an office of itself is not an honor. He alone is worthy of respect who performs faithfully his part whether in an humble or more exalted sphere in life.

CONDITION OF THE COUNTRY.

In approaching my position and taking a hasty view of the condition of the country, I find great cause to thank God and congratulate the people that they have lately, in their sovereign power, virtually put to rest the most exciting questions that have, since armed rebellion, agitated the public mind. They have, by an overwhelming voice, reiterated the decision: that friends, not enemies, should rule in a government, and that those who conquered peace from those who waged war, have a right to prescribe the terms upon which enemies shall be restored to their former relations and to demand such guarantees as to them shall seem proper for the future peace and security of the nation.

The voice of the people is the voice of God, and certainly the former enemies of the government will recognize and respect it; and it seems to me the result of the late national election will be an acquiescence by former enemies in what they must see they cannot prevent, and an acceptance of the plan of reconstruction devised by the conquerors; and that they will now willingly suffer the sword to be turned to the plowshare, their waste places built up, desolation made vocal with the glad music of human industry, and comfort and cheerfulness to surround hearthstones, now the dwelling places of destitution and distress.

It seems to me that the day dawns upon the nation when all shall engage in the pursuits of peace to advance the prosperity of the country with the same determination and energy lately exhibited for its destruction. And I am happy to be able to congratulate you that from the whole country, throughout nation and State, the prospect is that the conquered will wisely accept the situation and yield obedience to the laws.

The God of battles schooled for the nation upon the battle field a Chief Magistrate, who knows how to be unconditional to the resisting, and lenient and magnanimous to the submissive, and who uttered no unmeaning words when he said, "let us have peace."

PEACE.

And let me say, peace we will have. If it be not received voluntarily, it shall be through the enforcement of laws for the punishment of offenders. The evil passions that have grown up and received strength through years of strife must be controlled, though it be necessary to enforce laws so as to make them in reality "a terror to evil doers."

The impression made upon bad characters by war must be effaced and a proper estimate placed upon human life and the rights of person and property.

Speaking in general terms, it may be said the laws have been respected. Nevertheless, their violations have been frequent, but not more frequent than should have been expected while influential leaders have counselled the more ignorant and prejudiced to disregard laws even to the extent of open perjury.

It is expected that the want of hope for future success, by resistence to laws, will make their open violations less frequent until their rigid and sure enforcement, if necessary, against some presuming and conspicuous offenders, will establish their universal respect, and cause peace, in its full sense, to prevail through all parts of our State.

But peace we must have, with, if not without, unpleasant enforcement of laws. I mean open, undisguised violations of law must cease. And I cannot doubt you will cheerfully aid by enacting such laws as will place readily at the disposal of the Governor whatever force may be required, if the laws be not now sufficient. In every county in the State the laws must be so respected that the humblest peaceable citizen will feel secure in person and property, and that the immigrants whom we welcome among us to share the rewards of industry, shall feel that even lowly cottages are protections from harm.

The party in power claim to be one of law and order, and consistency itself demands a rigid enforcement of laws against all offenders of every grade.

This remark is intended for all persons, without regard to party. To the extent of my ability, with the aid

of existing laws and the use, if necessary, of such physical power as I may be able to command, the laws shall be enforced and there shall be no one so high that they shall not reach him if he be a transgressor, or so low that they shall not protect him or avenge his wrongs.

With peace and a sense of security to all in person and property, under the majesty of respected laws, we shall go forward with a bright future before us, in the new career which freedom opened.

PROGRESS.

Our State has expanded since the contracting cords of slavery were removed, but still her growth has been much retarded by the fear that has existed in the old free States that the enemies of freedom would succeed in obtaining control. That fear, dissipated by the result of the late election, will no longer exist if we will but adhere, and which I cannot doubt, to the principles that have induced and will induce a loyal immigration. And the load of slavery which weighed us down in earlier years and caused younger States, less favored by nature, to outstrip us in the race, now being removed, and the adherents of slavery now swept aside as powerless, she will move forward with accelerated pace, and pass States of equal age in honorable competition for the goal of greatest population and wealth, intelligence and virtue.

POLICY OF INCOMING ADMINISTRATION.

I need not be more definite in my allusions to the past, and, as there are no political matters about which there is special public anxiety, I consider it unnecessary to more than allude, on most subjects, in general terms, to the policy of the incoming administration.

It is not expected that I shall, at this time, speak with that particularity in details which should characterize the message of a retiring Governor on the condition of the finances of the State, on her resources, her public improvements, her public institutions and educational and industrial

systems. These subjects have been so thoroughly, so ably and eloquently presented by my distinguished predecessor, that, for all practical purposes, you are in possession of the necessary information. Repetitions by me, on these subjects, would be in bad taste. When I say "the policy of the incoming administration," it is not to be inferred that the policy to be pursued is necessarily to be different from that just closed.

The policy, so far as I shall indicate, may have been pursued by my predecessor. I must presume so, for I regard it as a natural policy. I can, and do, intend no reflections. The country has prospered during his administration. I can but hope that my labors will tend to a continuance of that prosperity.

It is not to be presumed that mine will be a new policy. A change of officers does not imply, under a republican government, a change of policy. Under a despotism it would. But, in a government like ours, policies cannot change with administrations because the officers are chosen to enforce existing laws. A change of laws, therefore, and not of officers, should cause a change of policy. The people, under forms of law, choose officers to execute their will as expressed in and through their laws. The duties of officers are prescribed—written.

The Chief Executive of this State takes an oath that he will "discharge the duties of his office according to the Constitution and laws of this State;" and in that Constitution it is made his duty to "take care that the laws be faithfully executed"—not his own will; and therefore the policy of his administration, if it be a proper one, can only be to faithfully execute the laws. He must execute the laws while they exist, and they exist in binding force until repealed or declared unconstitutional by the proper legal tribunal.

Under our Constitution a majority of legislators may enact laws, notwithstanding the Executive may make objections, and which objections may be founded on his

interpretation of plain provisions of the Constitution, and he is sworn to execute them.

If I am to decide whether or not a law is good, necessary, expedient or constitutional, I may set laws aside at my pleasure, and thus render nugatory the other departments of the government. If I may set one law aside because it is in plain violation of the Constitution, I may regard others as violations equally plain to me, and at what point am I restricted? Gross, palpable violations of the Constitution, in the enactment of laws, may be imagined; but such suppositions are as unreasonable as that a free, sovereign people will not require a strict account of their stewardship from the servants they select every two years.

The very word "Executive" implies what? That he to whom the word attaches is to execute something. What? The laws, of course.

Every voter under our Constitution swears "I will support the Constitution and laws of the United States," and "I will support the Constitution of the State of Missouri." Is each voter permitted with impunity to violate such laws as he may pronounce in violation of one or the other of those Constitutions? If not, where is he denied the right, or where is it given to the Executive?

It will, therefore, be my policy to rigidly enforce the laws, as I have already indicated.

AN HONEST ENFORCEMENT.

And let me say to those desiring anything more specific: I mean by a rigid enforcement, an honest, earnest, determined, unwarped regard for the laws in their letter and spirit.

And to be better understood on this point, I will be still more specific. I ask: What is the object of a free, popular government? I will say, it is not to elevate, to honor, to aggrandize and to enrich the few placed in office, at the expense of the many. It is that, under wholesome laws, the good of the many may be promoted. Individual

interests are to yield to the public good—especially the interests of those who are honored with the execution of laws.

To particularize: The people have said in their laws what salaries shall compensate for services rendered. It is presumed every man knows the law, and is satisfied with the offered compensation, when an office is asked or accepted. It is presumed, that, so satisfied, he is prepared to give his time and all his energies to the duties of his office for the public welfare, if the law so require.

And yet, how common has it become for men to seek office, under both national and State governments, for the opportunities offered for public plunder, and by warping laws and their own consciences, to put money into their own pockets instead of the public treasury!

I speak of this because the disposition for public plunder has become so common that it may be called a mania, or contagion, and is confined to no nation or continent; and men, otherwise good, regard themselves morally at liberty to set aside conscience when dealing with the public.

It is, therefore, important that those who control should select honest men—having qualifications, of course, in view—but honest men, either so poor that they can live upon prescribed salaries, or so rich that the honor of a faithful discharge of duties will compensate without salaries.

To say the least, the people should look well to those they select as officers, and scrutinize closely their acts after they are selected—and you represent the people. And I now invite the closest scrutiny to all my acts, and that, at any time, they may be truly presented to the public.

I can, and do, promise that I shall investigate the acts of those over whom the law gives me the supervision, and shall expose corruption, if any be found—found wherever it may be.

If we find corrupt men in the body of our great party of progress, let us weed them out, and for every one so weeded two good ones will spring up, and the party of

freedom and justice that saved our State will be strengthened.

I have thus indicated, in part, what my policy shall be in selecting those whose appointments devolve upon me.

But it is not to be inferred that those removed, should any be, or those applying for office and not selected, are considered corrupt or incompetent. No reflections are intended.

Favoritism, for the sake of favoring personal friends merely, results in harm to the country; of course, personal friends are to be preferred, other things being equal, but I have no right to confer personal favors at public expense, or to attempt at public expense, to compensate friends for losses during the war, by conferring office.

REGARDING LOYALTY.

Of course I shall have regard to the interests of loyalty. So far as I shall be able to know, I shall select those who have never breathed a disloyal breath and have not been neutral in the late struggle for the nation's life; those who have been unconditionally for the American Union from first to last.

In our Constitution adopted in 1865, we say: "This State shall ever remain a member of the American Union," and that "every citizen of this State owes paramount allegiance to the Constitution and Government of the United States." To enforce these provisions and principles and ingraft them into the very feelings and nature of the people, and that every fibre of disloyalty may be uprooted and exposed until treason die out and become odious, men of proven loyalty only should be selected for office.

Those who cared not for the life of the nation, should not ask nor expect honors until want brings them to see and acknowledge the beauty and abundance from which they wandered.

Furthermore, I take this method of informing those who may be appointed by me, that, should they give subordi-

nate positions to disloyal individuals, I will, so soon as possible, exercise whatever power of removal I may have under the law, for the removal of such of my appointees, and in cases where I cannot remove I shall give the proper information to the loyal public.

While entertaining malice towards none, but charity for all, this shall be my policy. My private feelings I have no right to suffer to influence me. I can and do forgive all private wrongs, but I have no right, when acting for the public, with the future peace and security of the country in view, to forgive public wrongs.

ECONOMY.

Not only will it be my policy to "take care that the laws be faithfully executed" by loyal men, but that they shall, if possible, be executed economically; in a manner to avoid waste on one side, while parsimony may be avoided on the other. Every disposition, should any exist, to take advantage of position for private emolument must be checked and the public good consulted. I cannot at this time be more explicit. But the framers and executors of our laws cannot be too sensibly impressed with the importance of the duty of laboring for an economical administration of our State affairs. It is ever important, but especially so now, in view of our public resources and public obligations.

PUBLIC DEBT.

We have inherited from the past, through those who preceded us, in consequence of legislation in years gone by, prior to the rebellion, certain contracts that must in honor and good faith be observed; debts that must be paid. Our promises must be strictly regarded.

The honor of the State is involved and every citizen should regard his own honor at stake. The life itself of every citizen can be justly required to be offered, when necessary, for the preservation of the life of the State, and

the property of all, less valuable than life, should stand ready to preserve its honor.

But this, in our present condition, does not imply that we shall be required to make unusual sacrifices to comply with our obligations.

It is not, and will not become, at least for some years, if at all, necessary to increase our rate of taxation, if we will but husband our means and economically use our resources, but that will be necessary. With a proper use of our means, of our resources, we shall be able to discharge our indebtedness at maturity.

What are our resources? Our credit is one resource. And, as an honest and prompt business man often uses his credit as capital, by preserving it untarnished by ready compliance with contracts, so may our State credit, by being preserved, avail us. But it will not be necessary to draw upon this resource, our credit, to liquidate present indebtedness, until we provide for the principal of our bonds that will mature in 1872.

What then are our other resources? We have had, until recently, liens upon railroads for large amounts, and claims upon the United States under an act of the Thirty-ninth Congress, most liberal, at the same time just, for the reimbursement of expenditures during the war. But the railroads, save one, the Hannibal and St. Joseph, of which my predecessor has made honorable mention in his message, have been disposed of, and claims against the United States paid to us.

The proceeds have been properly applied; our debt, from these and other sources, reduced, and we have left to us, with which to discharge the remainder of our State indebtedness, our good name and the ability to tax a willing people, whose property now, as per assessment in 1868, $470,773,119, will be rapidly increased under the impetus given to our energies by free institutions and a stable government.

This ability to tax, I am happy to be able to state, need not be exercised beyond the present extent, at least

for some years, as I have already said, and which may be demonstrated.

Our State debt has been as great as $37,000,000. Now our entire debt is but $18,654,000, and of this $48,000 will no doubt be shortly paid from appropriations to be made by you and to which your attention has been directed by my predecessor.

None of the principal of our obligations will be due until in the year 1872, our bonds maturing as nearly as can now be hastily ascertained, as follows:

In 1872	$ 477,000
In 1873	680,000
In 1874	1,206,000
In 1875	1,626,000
In 1876	3,626,000
In 1877	1,134,000

and thereafter small amounts or none, each year, until the years 1886 and 1887.

The interest on our indebtedness will amount to $567,-565, semi-annually.

To provide for this interest and at the same time a "sinking fund" for the payment of the principal, we have adopted, by a vote of the people, an ordinance and made it a part of the Constitution, which says: "For this purpose a tax of one-quarter of one per centum on all real estate and other property and effects subject to taxation shall be assessed and collected, and shall be appropriated for the payment of all such indebtedness that may have matured, and the surplus, if any, shall be set apart as a sinking fund for the payment of the obligations of the State that may hereafter become due, and for no other purpose whatsoever."

In pursuance of this constitutional provision an interest fund and a sinking fund have been provided for by law, and the public faith pledged that they shall be diverted to no other purpose whatever than the principal and interest of our State bonds, which constitute the debt I have named.

The taxable wealth of the State so pledged for 1869, assessed in 1868, was $470,773,119, which should yield to

the interest fund $1,176,932, an amount that, after making a reasonable deduction for delinquencies, will fail, in this year, to be equal to our annual interest by about the sum of $200,000, and therefore, by that amount, come short of meeting our interest in 1870. We should, if possible, each year provide for the interest of the succeeding year.

There is a sufficient amount now in the Treasury ($738,-547) to meet the unpaid interest to become due this year and the $48,000 heretofore named, and to leave something over $100,000 in the Treasury, an amount insufficient to make good the estimate for the interest fund for 1870, as a portion of the taxes for this fund has already been paid into the Treasury. It will, therefore, be unsafe to say that the deficiency in the interest fund, created by the constitutional tax of one-quarter of one per centum, at the close of this year, with which to meet interest in 1870, will be less than $300,000.

Whence, then, are we to derive this $300,000 to enable us to meet in full that interest? We are disposed to say from the surplus we should accumulate in the Treasury, under the present law, for a levy of twenty-five cents on the one hundred dollars for a revenue tax.

But, deducting from this revenue tax, which is the same in amount as the constitutional tax, one-fourth to be applied under the law to the "Public School Fund," and then deducting one and three-fourths per centum from the remainder for the "Seminary Fund," and making what is estimated by former officials as only a sufficient allowance for the ordinary expenditures of the government, with economy in its various departments, to-wit $700,000, we find no surplus to be transferred to the interest fund. Therefore the deficiency at the close of this year, in the interest fund, for the interest that will accrue in 1870 of $300,000, can only be provided for out of the tax to be collected in 1870 on the assessment of this year.

If, upon the assessment of the taxable wealth of 1868, we base a calculation and estimate our increase in wealth at five per centum per annum, we find that we can, at the

present rate of taxation, with the exercise of strictest economy, only provide promptly for each year's accruing interest.

But, without a greater increase of taxable wealth than five per cent. per annum, we cannot thus provide for the principal of the bonds becoming due in 1872 and 1873. Neither should we, when providing for meeting obligations and preserving our State credit, calculate upon a greater increase, although we may reasonably hope it will be ten per cent. When providing for debts, we should calculate on unfailing principles.

Therefore, State taxation remaining as at present, no further legislation will be required to facilitate the payment of our indebtedness before the session of the General Assembly to convene by law in January, 1871.

At that time no trouble need be apprehended if we will manifest the proper disposition to economize.

ONE SESSION.

I doubt not that this disposition exists with this General Assembly. I trust it will be manifested in every possible way, and that this will be known as a working Legislature, which, after the necessary legislation, will make no preparation for an adjourned session.

In estimating the expenditures of the government, I have calculated but one session for each General Assembly. The expenses for an adjourned session may be put down, at lowest estimate, at $250,000, which would, to that extent, increase the deficiency for 1872 or 1873.

While the people do not, and will not regard a five mills tax as onerous while a necessity exists for it, it is our duty as wise statesmen to so legislate and so administer our affairs that that necessity shall cease at the earliest day possible. That day may be prolonged by want of economy, or, by its want, we may be ultimately compelled to increase taxation to provide for deficiencies.

It is a question whether or not there may not be too much legislation. We much need well defined and well understood laws, and those laws well enforced.

The manifestation of the disposition I allude to, will strengthen us with our creditors, by reassuring them that, with the ability to pay we have the disposition that will not permit us to fritter away our means, but employ them for fully paying a debt that but a few years since was almost double. It will also aid in inducing immigration, by assuring those whom the smiles of Nature invite that we will not repulse them by the frowns of tax-gatherers.

While your thoughts are directed to the subject of taxation, I will say it is your duty to see that the laws are such that taxation shall bear equally upon all, and that the property of none be suffered to escape that is liable to taxation under our Constitution. Favoritism by assessors should not be permitted, neither should assessments, ignorantly made lower than the proper valuation, be permitted to remain. The proper valuation, under the law, is the true cash value.

It appears to me that our laws are sufficient, if properly enforced, and the wise provision under the same law for a "board of equalization," consisting of the Senate, with the Lieutenant Governor its President, should speedily rectify the evils alluded to—partial and ignorant assessments. And I deem it my duty to now direct the attention of that "board" to the fact that, according to the best information I have, after an examination on the subject, I am of the opinion that the real estate of the city of St. Louis was not assessed in 1868, at even so much as fifty per cent. of its cash value. My opinion I form from official statements.

This wrong should of course be remedied, and we should thus have additions to the taxable wealth of the State to the "Interest Fund," and to the "Revenue Fund" of this and succeeding years.

The same fact may exist in other parts of the State. I have not been able to give the subject the attention it deserves, but which is more immediately the duty of the

"board of equalization." But I take the liberty of suggesting that an examination may disclose the fact that, along the lines of railroads constructed and being constructed, assessors have not paid a proper regard to the law which requires an assessment at true cash value, but have, in too many cases, permitted large landholders to place their own estimates upon their lands.

Railroads, under an "internal improvement system" instituted some years since, have entailed a heavy debt. But, as they may be justified in creating a debt on the ground that they enhance the value of property, it is well to see that those most benefited by the roads constructed, be equally taxed in proportion to the increased value of property.

And, while upon this subject, I take occasion to express my gratification at the recommendation of my predecessor, in his late message, to provide for the taxation of railroads.

PUBLIC SCHOOLS.

In connection with the subject of taxation I desire to say, for the information and satisfaction of those who, in other States, may have their thoughts directed to Missouri as desirable for future homes, that the entire tax levied by the State is but five mills upon the dollar to provide for the payment of the State indebtedness, and for the general expenditures of the government; and that, out of this, one-fourth of the tax levied for State revenue, it being twenty-five cents on the one hundred dollars, is by law set apart for the "Public School Fund," and one and three-fourths per cent. of the remainder for the "State University Fund." So that, with no additional State tax, we have a liberal and efficient public free school system, with a permanent and invested fund of $1,682,316, yielding $92,000 per annum, while, under the law, $273,000 will be distributed this year to the counties for school purposes, and while we can point to a "Seminary Fund" of $123,707, with a total income this year of $22,065. These facts are sources of pride for the present, and of encouragement for the future

population of Missouri, and show to the world that you require no words from me of recommendation in favor of our educational system.

INTERNAL IMPROVEMENTS.

I shall not enter into a discussion as to the wisdom of the policy of our past internal improvement system in constructing railroads. It would be a fruitless discussion, because we are estopped by a public debt, created for roads already constructed and being constructed, which must be provided for before our credit could be made available for the construction of other roads.

It may be well contended that, where individual enterprise and industry develop the resources of a portion of country, and offer inducements, that enterprising capitalists will compete for the privilege of penetrating it with a railroad.

But all discussions on this subject, at this time, would be barren of good, for the reason that the thirteenth section of the eleventh article of the Constitution says: "The credit of the State shall not be given or loaned in aid of any person, association or corporation; nor shall the State hereafter become a stockholder in any corporation or association except for the purpose of securing loans heretofore extended to certain railroad corporations by the State."

While, under more favorable circumstances, that provision of our Constitution might justly, perhaps, be called illiberal, it is at this time certainly a fortunate one, and should be observed not only in letter but in spirit. And I most earnestly express the hope that its spirit will not be violated by you, as it has been in the past; and that, while the credit of the State cannot be loaned, you will not consider yourselves at liberty to divert from their proper course any of our State securities or money that should come into the Treasury and be applied to existing obligations. Let us be first just, then liberal.

NATURAL RESOURCES.

I shall be pleased to favor liberal legislation for the development of our unexampled natural resources which have been fully and ably and truthfully presented to view in the message of my predecessor, and to which, without repeating, I invite attention; but such legislation cannot, under our Constitution, be permitted to involve the credit of the State or reduce our available means.

BOARD OF IMMIGRATION.

We may properly avail ourselves of our Board of Immigration which in the past has been most efficient for imparting the proper information, and inducing capital, under individual enterprise, to develop resources so long neglected.

RAILROADS.

While alluding to railroads, I need not repeat what has been so well and fully said by my predecessor on our magnificent railroad system, disclosing the fact that, while in 1865 we had but eight hundred and twenty-six miles of completed road, we now have thirteen hundred and ninety-four miles completed and five hundred and sixty-nine miles projected.

And, notwithstanding almost our entire State debt may be called a "railroad debt," we would not be willing to say we prefer no roads and no debt.

CHARITABLE INSTITUTIONS.

It is scarcely necessary for me, for ordinary purposes, even to allude to our public charitable institutions. The promptings of duty to suffering humanity are sufficient in this age of intelligence and benevolence.

But, in this connection, I have a few words to utter in behalf of loyalty. If correct information has been given me, and which I do not doubt, the counties most favored in our State, through our public institutions, are among those the least deserving. In other words, favors are

dispensed among the most obstinate and inveterate enemies of the National and State Governments. While, through fear, the laws may be obeyed, they are not respected, and the steadfast friends of the government are persecuted with unmitigated hatred, and proscribed in society and business in a manner to make treason respectable and loyalty odious. I recommend that proper steps be taken to accept from wealthy and loyal individuals public buildings, without cost to the State, that may be erected where loyalty is not at a discount, and that the counties of Boone and Callaway be relieved of what they cannot appreciate.

REGISTRATION LAW.

I will not consume time by an argument to a loyal and intelligent Assembly in favor of the wisdom and policy of a law now on our statute books—the registration law—designed to prevent the enemies of the government from accomplishing its destruction through the ballot box. Discussion on those points has long since ended. The law is in existence. Its gross violations at and preceding the late election show defects somewhere. They are no doubt both in the law and in its enforcement, or want of enforcement. The defect apparent to all, in the law, is the want of power, definitely conferred somewhere, to remove incompetent, corrupt and intriguing superintendents of registration, and to appoint others. This power should be conferred, as all authority is weakened and brought into contempt by being defied with impunity by those who violate laws.

MILITIA LAW.

I ask and recommend that the militia law, if not already sufficient be so amended that the Governor shall have the whole power of the State at his command to enforce laws and insure their respect. If we have any law on our books that is unjust or inexpedient, let us repeal it as soon as possible; but while a law, it must be enforced.

SUFFRAGE AMENDMENT.

With the bright prospects before us for a prosperous future, to some extent delineated by what I have said, but fully and beautifully pictured by my predecessor, I would have been much gratified if our State, already occupying a proud position as one whose loyal people have manifested their devotion to the American Union by unusual sacrifices, and heretofore standing in the front rank of progressive States, had, at the late election, come fully up to the line of justice and right, and therefore of duty, and had adopted the then proposed constitutional amendment, which would have left no distinction at the ballot box on account of color.

It is true, we have progressed rapidly, and, to a great extent, broken down a prejudice that has grown out of slavery. But we fail in magnanimity and true nobleness, and in the exercise of Christian feelings and sentiments when we deprive any class of citizens, except for participation in rebellion or other crime, of privileges which others, under the law, enjoy. We must come to the golden rule, "do unto others as you would be done by," before we can expect to be greatly blessed. A "righteous" people are those whom a righteous God will exalt.

We have not so purified ourselves from the crime of human slavery, by stripping ourselves of all its remnants, as to be justly called righteous. We must divest ourselves of everything connected with it, even to the uprooting and casting aside of our remaining prejudice, before we shall have so discharged our duty that that God will exalt us Who made of one blood all nations of the earth, and is no respecter of persons.

I do not, however, look for His signal curse renewed while we continue to advance. We have progressed; but we must continue to go forward. We must move with the storm, or, from resistance, sustain injury. We cannot safely stop until the revolution in which we find ourselves becomes complete. How often must we be told "revolu-

tions never go backward?" Does any one, with astonishment, ask in what revolution are we now? Let me say, the same revolution of which the late armed rebellion was but a part. The convulsion that broke the shackles from the limbs of four millions of human beings was only a part of this revolution. It originated away back in the mind of God. He planted the principles that govern it in the breasts of a few good men. Those principles extended, and now the number is legion of those who advocate freedom, elevation and equal rights for all. But only when the majority that rule shall be willing to raise up the downtrodden of every race and color, and place them in the great highway, under the law of equal rights, of free competition and progress, will this revolution be complete, and not till then. And, until then, we cannot escape those inflictions of punishment that always have been, and ever will be, visited upon nations and States that come short of their duty.

Entertaining these views, I consider it my duty, and without further expression of thought as to the justice of a measure that was fully discussed in the late canvass, to recommend, and which I now do for your consideration—the submission to the people of the same constitutional amendment which at our recent election we failed to adopt, to be voted upon at our next general election in 1870.

In this connection I shall express myself with all due respect to the opinions and arguments of able friends belonging to the same political party with myself, and whose opinions are worthy of and demand consideration, as opposed to that policy which would connect any other amendment of our Constitution with that of striking the word "white" from the eighteenth section of the second article, which relates to the qualifications of voters.

I mean that some friends advocate the submission of an amendment removing both color and disloyalty from the present disqualifications for voting. I presume an effort will be made for the submission of such an amendment.

Theirs is a proposition, though not directly so expressed by its advocates, to give to one class of citizens what the advocates themselves acknowledge they are not, in justice, entitled to, for the sake of getting for another class of citizens what they acknowledge they are, in justice, entitled to. In other words, they are willing, though not so expressed by them, in order to make voters of friends of the government, who are so unfortunate as to have black skins, to admit at the same time to the ballot box enemies because favored with white skins.

This, if not intended as such, is nevertheless an offer to compromise. If not such, why is the double proposition made so soon after the one to admit negroes to the ballot has failed?—failed, too, when the opposition party could have adopted it. If not such, why this apparent haste to force kindness upon those who disdain the offer? If not an offer to compromise it must stand on a principle. But principles never change. If it be right in principle for those who participated in rebellion to vote now or in 1871 or 1872, it was right in principle in 1867 when the negro suffrage amendment passed the General Assembly, and in 1868 when it was voted upon.

We may well ask ourselves, would the proposition be now made to remove the disability of disloyalty if we had adopted the negro suffrage amendment at the late election? If we answer in the affirmative, and attempt to stand upon any principle, we must go to our national and State platforms in the late canvass, and to which I will give some attention in its proper place to show there is nothing there to sustain such a proposition.

It is virtually nothing but an offer to compromise; and justice never yet compromised with injustice without sustaining injury. All experience proves that unjust demands when gratified lead to further unjust exactions. Thus it was with slavery until nothing but the life of the nation would satisfy it.

But, in the present case, there is not a demand from those whom it is unjustly sought to relieve. There is no

indication that the compromise, when offered, would be accepted. There is not a request from unrepentant rebels and sympathisers to connect these two propositions. If there were, it would be some evidence of repentance or of an acceptance of the situation. But they spurn with contempt the proposition for three assigned reasons: that it would be negro equality and degrading; that the negro, for various reasons, is not entitled to the elective franchise; and that they, the excluded disloyal whites, are entitled to it, there being no right with conquerors to prevent enemies from ruling after failing to destroy the government. These were their grounds of opposition to the constitutional amendment lately voted upon, and to our registration law, to violate which many freely perjured themselves, estimating it as no crime to falsely take an oath they professed to regard as illegally imposed.

We have no evidence of a change in their feelings and sentiments except with some brave enough to fight for a cause they erroneously espoused, of whom I shall hereafter speak.

Is it no violation of principle to bestow equal rights upon the unrepentant? Shall we violate the very principle that sustained us in our late canvass and election? This principle alone, that unrepentant rebels should not overcome at the ballot box after failing on the battle field, enabled loyalty to succeed. The prejudice against negro suffrage would have defeated us had it not been that, great as that prejudice was, it was controlled by a stronger feeling to preserve the government in the hands of its friends, the conquerors. That was the principle. And if it were then right, on principle, to keep twenty thousand, or ten thousand, or five thousand unrepentant rebels away from the ballot box, it is right to-day, and will be in 1870 or 1872 to keep one such away.

Does any one contemptuously say, How magnanimous! Let him consult his Bible and his God Who has given us an example, and Who requires of each prodigal repentance before re-admittance into the family.

If not right at the late election to admit them, it is not right to-day. If right to admit them to-day or in 1871, it was right in 1866 and in 1868, as I have said, and the only reason we could render for excluding them then would be that it was necessary for us in order to carry the elections then, and hereafter it may not be. Then what becomes of the principle?

But some friends say this double proposition is a peace offering, and use language to imply that the party in power should be held responsible if they do not present this olive branch. It is true that the party in power and the administration of that party are, to a certain extent, responsible for the peace of the country; but it is not true that lowering our standard now and seeking to conciliate rebels will give us peace more readily than before Lee surrendered. They would then suffer no reconciliation except such as should be made by the God of battles. And when that award was made they were unwilling to accept it. If we had acknowledged ourselves in error, had lain down our arms, had declined to enforce laws, had suffered rebels to return to former relations and rule the country, we could have had peace; the peace the slave enjoys who fears the tyrant's rod. The loyal people did not desire it in that way. They desired it by tenaciously going forward, in the way of duty, in and to a maintenance of the supremacy of the law. And the leader of that forward movement the loyal people of the nation have placed in such position that the law will be maintained. It is thus those who have the reins of government must restore peace, if it be not accepted, and thus preserve it by enforcing laws.

The two propositions, one for loyal black suffrage, the other for disloyal white suffrage, are antipodes. They can have no affinity or congeniality. They are like oil and water, and cannot harmonize.

Justice, right, duty, humanity, Christianity, the prosperity of the State say admit the black man. He is a man, a free man, a citizen, formed in God's image, capable of mental and moral improvement. He will add to our

taxable wealth, and is so true and loyal that he has offered his life to save the nation and State.

Justice says to the disloyal whites: You voluntarily renounced your allegiance to your government, the blessings of whose protection you enjoyed, and sought her life. You have thus forfeited your rights, and, although you may somewhat now contribute to your government, through taxation, you still enjoy life and property, more than you are entitled to, as they were forfeited and are now had through the magnanimity of conquerors. You should return, if at all, to full fellowship on the terms offered you; the manifestation of a proper spirit of submission to the laws. You have already shoes on your feet and you are robed, but the conquerors, in addition to this, in the exercise of the fullest charity would divide with you the patrimony, if you but will in the proper spirit. This has been in effect asserted in both our State and national platforms.

Those platforms of the party that now rule I endorsed in the late canvass. I endorse them to-day. That party will no doubt gladly restore rebels to the ballot box in accordance with them.

Let us look at them a moment and see if there be anything in conflict with the sentiments I have expressed, and to justify a departure from the principles upon which the loyal party have heretofore acted.

The thirteenth declaration in the national platform reads: "That we highly commend the spirit of magnanimity and forbearance with which men who have served in the rebellion, but who now frankly and honestly co-operate with us in restoring the peace of the country, and reconstructing the Southern State governments upon the basis of impartial justice and equal rights, are received back into the communion of the loyal people; and we favor the removal of the disqualifications and restrictions imposed upon the late rebels in the same measure as the spirit of disloyalty will die out, and as may be consistent with the safety of the loyal people."

It cannot for a moment be contended that I have uttered any sentiment in conflict with this declaration in the national platform, unless it be shown that the spirit of disloyalty has died out. We fail to find the evidence of such a death, which would cause rejoicing, in the press of any portion of the country, or in the fact that details of soldiers were found necessary in our own and other States to preserve the peace at the late election, and that in some localities the only security for loyal men was to remain away from the polls.

When, and how, according to that resolution, do the party in power favor the removal of restrictions? "In the same manner as may be consistent with the safety of the loyal people, and as the spirit of disloyalty will die out." As the spirit of disloyalty will die out, we are willing. When it shall die out of a part, we are willing to remove disabilities from such part. When it shall die wholly out we are willing to wholly remove. And what is the resolution in our State platform? "That while we believe that the disfranchisement of those who engaged in, aided or sympathized with rebellion, was not only a legitimate and just consequence of their own conduct, but a necessary measure for the safety of the loyal people of the State, we cherish no revengeful feeling towards those who fought in fair and open battle, though for an unjust cause, and stand ready to restore to them every political privilege at the earliest moment consistent with State and national safety."

Assuredly we are not to yield to an argument that that language means that it is "consistent with State and national safety," to restore political privileges whenever we may have the numerical strength. Such a principle would be most unsafe to adopt in the legislation and government of a country, as the prevailing party would ever regard their rule the safest.

If that had been the principle intended, it should have been so stated in the resolution. But it does not say it will be consistent with safety, when we control at the ballot box, to remove disabilities; but pledges the party in power to do so when "consistent with," in agreement with, in

accord with "State and national safety." The resolution does not say, when safe for us now living who have at present the majority, but for "the State" that is to survive us. If so limited in our views, I fear we would be poor legislators and statesmen.

We have to transmit a government, a preserved "State," to posterity. We must consider its "safety," not merely our own; not the safety of to-day, but all the remaining days of its life. To be safe, we must preserve and transmit the principles of safety on which it has been and must be preserved.

If the principles and purposes for which the rebels fought were wrong, no greater blunder or violation of principle could be committed than for the successful party to permit the rebels to assert through the ballot box the principles they fought for and lost on the battle field.

If the cause and principles for which the Union soldier fought were right, we should maintain them by our policy and laws.

While we seek no indemnity for the past, it is alike due to the memory of our dead soldiers and living companions, as well as to our country and to the rights of man, that the victories gained in the late war should secure the future peace of the republic upon the principles fought for by the victors.

These are the principles all should recognize, and preserve and transmit, as they are the only principles of safety for the future.

It would be a violation of them to remove the restrictions imposed on the disloyal, so long as they adhere to the "lost cause," or the principles for which they fought.

Therefore, no change can be safely made until those to be relieved submit to and acquiesce in the decision of all questions settled by the war. But whenever such acquiescence shall be yielded by the disfranchised, removal of restrictions will be no doubt speedily made, in accordance with late platforms.

To state that such acquiescence is not yet yielded by the great body of disloyal, is to say what will not be denied.

Until such acquiescence be yielded the policy of the loyal party, standing on unchanging principles, cannot change.

If their conduct has been such as to induce the present Legislature to present such an amendment as advocated by some; if they have sincerely united with Union men in supporting laws, preserving order and crushing out law breaking, the press of the State of all parties have shamefully failed to present the evidence.

I am happy, however, to be able to say that a proper spirit was manifested in our State during the late canvass by quite a number of those who fought bravely on the wrong side in open battle.

Whenever their disabilities can be removed I shall be more than willing to co-operate. But I am not willing, with one repentant, to restore two, more malignant, if possible, than during the war.

In connecting the two propositions, negro suffrage, and rebel suffrage, not only are justice and injustice connected, but justice is jeopardized thereby if not surely defeated. While the opposition party would manifest their old spirit, the unjust proposition of rebel suffrage would assuredly fail, and carry down the just proposition of negro suffrage connected with it. The line between loyalty and disloyalty is so distinctly marked, and feelings so intense, that many earnest friends of negro suffrage would vote against both propositions united in order to defeat rebel suffrage.

Again, connecting the two would be a direct stab, though, of course, not intended, at negro suffrage. How? Because the defeat of the propositions united in one would place it, negro suffrage, in a worse condition than its companion, rebel suffrage. How is this? Negro suffrage can only be had by and through a constitutional amendment. Rebel suffrage is already provided for in the Constitution (see section 25 of art. 2). The General Assembly is em-

powered to suspend or repeal the sections of the Constitution imposing restrictions on white voters after the first day of January, 1871. A constitutional amendment submitted by a General Assembly is to be voted upon at the general election then next ensuing. Should an amendment be submitted by the present General Assembly, it would be voted upon at the general election, November, 1870. Should rebel suffrage be defeated, the General Assembly of January, 1871, could, nevertheless, if disposed, remove rebel disabilities. But, what then would be the condition of negro suffrage if defeated in 1870? It could, under our Constitution, only be presented again as a constitutional amendment; and, if presented in 1871, could not be adopted until the general election of 1872, and negroes could vote at no general election, until the fall of 1874, two years later than the time at which rebels might become voters under the power already conferred on the General Assembly. Are we prepared to give this advantage to rebels over loyal men?

And where is there the shadow of a necessity? It will be conceded that an amendment for rebel suffrage would not pass without a great change in the disposition of the opposition party, if one were offered. If it be contended that the opposition will acquiesce and accept the double proposition as a compromise, and cease their hostility to the laws, then there is no necessity. They can show a change of feelings by their acts, by their expressions, in their conversations, through their press, between this time and the next general election in November, 1870, and, in view of the facts, the people can select members of the next General Assembly instructed to exercise in January, 1871, the power now conferred and remove disabilities.

To submit the double proposition, therefore, would place the negro, but not the rebel in a worse condition, if two separate amendments should be joined in one, which is forbidden by our Constitution.

To submit them separately at the same time would enable the opposition, through deception, and by inducing

a disloyal immigration from abroad, to admit rebels to the ballot box, and exclude the loyal blacks.

The only plan, therefore, safe for the State, if loyalty is to prevail, is to submit the one proposition of negro suffrage and keep rebels on probation.

Still again, I would direct attention to our present Constitution, adopted in 1865, which so wisely provides for all the emergencies that may arise, as if in anticipation of the very questions that are upon us.

There is no necessity for a constitutional amendment to remove the disabilities of the rebels who manifest a proper law abiding spirit, while they shall remain imposed on the obstinate.

As per twenty-fifth section of second article of the Constitution, the General Assembly may remove disabilities by suspending or repealing sections, and likewise "every suspension or repeal" "shall be general in its terms," but the General Assembly may except from the benefit of such suspension or repeal any person or class of persons it may see fit." In other words, the General Assembly may repeal the sections imposing disabilities and except from the benefits of the repeal the class of rebels who may remain obstinate.

Thus the brave men who fought in a wrong cause, and will in proper spirit, aid in enforcing laws, may be relieved by the next General Assembly without further legislation, and the obstinate remain disfranchised.

But should you, in your wisdom, determine that the time has arrived when we should have all restrictions upon voters removed, disloyalty as well as color, I trust you will consider the advantage of having an amendment of the Constitution of the United States in that respect, and act accordingly.

I am not prepared to advise or favor such an amendment, and desire to be so distinctly understood. But it would be infinitely preferable to the one suggested by some for our own State. It would at least compel other States to mete out that justice to colored citizens they may never otherwise extend.

There is, however, an amendment to our United States Constitution which should be at once proposed, and would be adopted without hesitation, by all loyal legislatures. I mean an amendment to remove the disabilities imposed on account of color in all the States.

I hope the time is not distant when those who sought the nation's life will, in their nobleness of nature, acknowledge their error, return to a willing submission to the laws, that all disabilities may be removed.

In the meantime I desire, and doubt not, we shall harmonize in our views in all needed legislation for the peace, security and happiness of all. May we so labor that God, "by whom and for whom all dominions and powers are created," will be honored.

J. W. McClurg.

ADJOURNED SESSION MESSAGE

JANUARY 5, 1870

From the Journal of the Senate, pp. 7-26

Senators and Representatives:

I cordially welcome you on your return to important official labors. I am happy to be able to say we have never had more abundant cause for sincere congratulation and thankfulness than in the year just closed. General good health has prevailed. No ruthless pestilence has reduced our population, nor plague cut short our flocks. A smiling Providence has sent the early and latter rains, and caused the earth to yield her increase.

Our granaries overflow, affording an abundance for our population and a surplus for the tens of thousands seeking homes on our comparatively cheap lands and comfort in our congenial clime.

While the nation has been at peace with all the world, and the bonds of a common Union have been strengthened, peace in all our borders has, in its influences, to a great extent, worn off the asperities engendered by a protracted civil war.

It is to me a special source of gratification to be able to say that personal animosities have been supplanted by an apparent general desire to obliterate old differences, repair losses, rebuild waste places and restore a proper respect for the laws.

To be sure we are startled and horrified with daily recitals of crimes, as well in our State as elsewhere; but I have been informed of no case in which the cause has been a political one or assigned to hatreds caused by the late war. And I would be doing violence to my own feelings were I not to specially mention the eight counties, Jackson, Monroe, Audrain, Dunklin, Wayne, Ripley, Oregon and Shannon, the elections of the third of November, 1868, for

Representatives of which in your Assembly were declared, by your House, void in consequence of improper registrations. Except in one of these, Monroe, new registrations and elections have taken place without the slightest disturbance; indeed, without complaint from any party, except in one county. These have been without the intervention of any military force or special police.

In the county of Monroe there was not a new registration, of which fact it is presumed your House will take cognizance at the proper time. For the preservation of order and enforcement of the laws, this administration has not found it necessary in any instance to call out the organized militia. Consequently the militia, with thirty-four organized companies, have been no expense to the State. There is no county in the State where organized resistance to the law exists, and where the sheriff cannot procure a posse to aid in the enforcement of the laws. The rights of person and property are as secure as in any State of the Union.

SUFFRAGE.

Upon such a state of facts, hopes may be reasonably entertained that the period is approaching when those in power may consider whether magnanimity towards former enemies may be exercised "with safety to the State," and political disabilities be removed from those who participated in the late rebellion. As wayward States have been restored and are being restored, by national laws, to their proper places to support and strengthen the national fabric, so it may be desirable with those who have a right to decide that it shall not much longer be considered, in our State, inconsistent with its safety to receive back, as supports, individuals whose ability to uphold was but too well proved by the ability to pull down.

Provision is already wisely made in our Constitution for removing such disabilities as are now imposed upon those otherwise qualified as voters. Under our Constitution they could not be removed, even by Constitutional amendment, prior to the general election in November of

this year (1870). Directly after that election, after 1st day of January, 1871, they can be removed by legislative action, in accordance with a present provision of the Constitution. There is, therefore, no necessity for any constitutional amendment on this point or feature of the suffrage question. The question of the *expediency* of removing such disabilities—that is, the question of "safety to the State," can be discussed in the canvass preceding the election of next fall. The present Legislature may invite such discussion if thought best. Candidates for the next General Assembly can in part run upon the issue of favoring or opposing the removal of such disabilities. Thus Senators and Representatives can come here prepared to reflect and to vote the sentiments of their respective constituencies, and a majority can exercise the power already conferred, and suspend or repeal the parts of the Constitution referred to.

But we have a class of citizens in our midst, with a population of one hundred thousand, who are excluded from representation at the ballot-box for crime, if any, not their own, notwithstanding they bared their brawny arms to rescue the nation when imperiled, that had oppressed them. For their admission to the ballot-box we have no Constitutional provision, and without one, in the absence of national legislation, our State Legislature cannot admit them. As no argument can be made against the justice of such an amendment, I sincerely recommend that one be proposed and submitted to the people for ratification or rejection at the next fall election.

The amendment might be proposed in such form as to empower the Legislature to admit them after the first day of January, 1871. If adopted, it is reasonable to presume there would be less opposition to admitting others now excluded, as it would give unmistakable evidence of the growth of sound conservative principles. The ratification of the Fifteenth Amendment to the United States Constitution, as *proposed*, would remove the necessity of a vote on the one here suggested.

ANOTHER CONSTITUTIONAL AMENDMENT.

In addition to the Constitutional amendment just suggested on the subject of the elective franchise, I recommend an amendment striking out what is commonly known as the double liability clause whereby, as the Constitution now is, the stockholders in private corporations "shall be individually liable for the stock and a further sum equal to it." This clause is very objectionable, in my opinion, being unnecessarily onerous and undoubtedly preventing capital from entering the State, and capital now in it from investment in enterprises for the development of our manifold resources which is so vitally essential to our general prosperity; for diversified industrial pursuits are to-day the great material want of our State.

NO CONVENTION.

It may be that other amendments to the Constitution, less important, are desirable, and may be, in your wise deliberations, suggested. In all, I trust we shall agree in our views and co-operate in our efforts for the best interests of the State.

But I entreat you, for the good name of the State, its tranquility and financial credit, you will not take steps for calling a State Convention to revise and amend the Constitution. If there be objectionable features to it—and for the sake of argument, at least, I admit there are—it is much better to tolerate them for years than in our present financial condition to endure the expense incident to calling and holding a Convention, which unquestionably would be prolonged and disturbing, and to subject the people, if not to increase, at least to continued taxation, at a rate below which it should as soon as possible be reduced.

A hasty glance at our financial condition should satisfy the most ardent advocate of progression that, in spending money for the State, we would do well to "make haste slowly." The people should hold to strict accountability those who now take steps for uselessly spending a fifth

or a quarter of a million of dollars of their money. The expense for a Convention could not be less. To revise and amend the Constitution through a Convention requires three separate votes of the people at the polls; one for and against a Convention and, should one be ordered, another for delegates, and a third for or against the proposed Constitution.

Even if we were not restricted in finances, we could not now afford to disturb our people, who require, and have but recently settled down in quietness and repose in peaceful pursuits, by having them harangued by fault-finding politicians of all shades of politics, and dragged three times to the polls in the course of a few months, to the neglect of their private affairs and comfort, to remove from the Constitution objections which they care nothing about until pointed out and magnified by others.

All needed amendments, to any number, can, in a manner already provided for in our Constitution, be separately submitted and voted upon at our next election, next fall, without any additional expense.

FINANCE.

Our finances are in a manageable condition, and, under prudent legislation, our liabilities can be promptly met, the interest on our bonds paid and our credit maintained. But no extravagant legislation should be indulged in; no uncertain schemes, although they may appear plausible and deserve to be called "liberal and progressive." Justice to State creditors and the interest of our people demand first the payment of our debts and a reduction of the rate of taxation before liberality can be commendable or should be tolerated.

I might have endeavored to present some internal improvement scheme; some proposition for aid to railroads, for the improvement of rivers, the construction of bridges and the opening of mines, and to have it heralded abroad as progressive in spirit and worthy a great State and the character of the age; but I have been compelled to look a stubborn fact directly in the face, and to which I earnestly

ask your attention: that the state of our finances is such that we can at present only be just. I entreat you to bear this in mind every day you legislate and at every step. This is the important subject that necessarily controls many others.

Our State debt, once as great as $37,000,000, has been reduced more than half. This is evidence to creditors of our intention to pay the remainder.

Before proceeding to give our actual financial condition, I desire to say: I am permitted by the "fund commissioners" to state that, from the records in their office, they unhesitatingly say there cannot be State bonds to the amount of more than $66,000 on which the holders are expecting interest in gold. But it is not known in whose hands they are, as the coupons have not been presented since the State resumed the payment of interest in 1867.

No demand for interest in gold has been made of the financial agent of the State in New York.

I recommend that there be no change in our law on this subject. For statement more in detail on finances than should be here given, I invite attention to the report of the "fund commissioner," which will appear in the appendix to my message.

At the beginning of last year the entire debt of the State was $18,654,000, over eighteen millions of which consisted of bonds given in aid of railroads and maturing in the years 1872 and 1887 and the intermediate years; the semi-annual interest on which, then due, had been provided for, and there was a sufficient amount in the Treasury to meet the semi-annual July interest and pay $48,000 of a war debt due to St. Louis banks, and to leave about $100,000 in the Treasury not belonging to special funds. But we had a Legislature in session and the members and expenses to be paid.

On the side of our assets, as I remarked in my inaugural message last January, we had then "left to us, with which to discharge the remainder of our debt and pay the expenses of the government, our good name and the ability to tax a willing people."

At the close of the past year our State debt was reduced to $18,595,000, without including $3,000,000 of bonds of the Hannibal and St. Joseph Railroad on which the road promptly pays the interest; the current expenses of the government, including warrants to the amount of $92,000 issued to take up certificates of indebtedness which properly belong, according to the Auditor's statement, to the expenditures of 1868, had been paid; for our semi-annual interest due 1st day of January instant, commission, &c., $565,000 had been remitted to New York, and there was a balance in the Treasury of $577,801.27, of which $44,278.23 could be applied to payment of interest, and $135,527.04 to current expenses, exclusive of school and other special funds.

During the past year $218,740.64 have been transferred to the school fund, and $11,483.88 to the Seminary fund.

All these amounts and the balance in the Treasury, except $265,000 transferred from the "Union Military Fund" to the "Interest Fund," consists of sums received from collections on the assessments of property in 1868 and prior years, and from collections on the assessments of 1869, the same being for last year about $720,000. It is safe to say that $1,450,000 in addition will be received on the assessments of 1869 and prior years.

If we will deduct the expenses of the present adjourned session of the Legislature and the ordinary expenses of the government, including portions that go to the School and Seminary funds, we will have about $625,000. Deduct from this amount the semi-annual interest due next July, and about $65,000. Deduct from this amount the semi-annual interest due next July, and about $65,000 remain at the close of the present year.

Therefore in order to meet the interest due on our bonds 1st January, 1871, we will be required to draw upon the receipts on the assessments for 1870 for about $490,000. On this resource we may confidently rely. It would, however, be desirable and wise to provide a year in advance. This we can hope to do in time, as our wealth must increase.

The assessed value of taxable property for 1868 was $470,773,119 and for 1869 $508,278,860, showing an increase of near eight per centum. As the action of the Board of Equalization caused an increase of nearly four millions of dollars, we should not calculate on an increase of more than five per centum per annum, in the future, in the wealth of our State.

The assessments on our wealth are one-fourth of one per centum, under a Constitutional provision, for the payment of the interest and to form a sinking fund for the principal of our State debt, and one-fourth of one per centum for revenue, one-fourth of which is for a "public school fund and one and three-quarters per centum of the remainder for a Seminary fund."

With these facts and figures before us, and at the same time looking at delinquent tax lists, it is not difficult for any one to calculate that, after paying our interest July, 1871, and January, 1872, we can, only with the exercise of the strictest economy, accumulate a sufficient amount in the sinking fund to pay the principal of our bonds maturing in 1872 to the amount of $477,000 and in 1873 of $680,000.

It will also be perceived that these calculations are made at present rates of State taxation. Our object should be to reduce that rate as our wealth increases. If we embark our State in schemes that will require the increased revenue that we may derive from increased wealth, when will we pay the principal of our debt and when will we reduce the rate of taxation?

AID TO RAILROADS.

I know of no enterprise in which it is in contemplation to embark the State unless it is to extend aid to railroads.

We have main lines of roads as great arteries in various directions from several of our principal cities and in all directions from the great metropolis of our State, north, northwest, west, southwest, south and southeast, which are of a railroad system entered into some years since by

the State, and have caused the present State indebtedness and for which the people are satisfied to be taxed.

But their expression was such, when they ratified our present Constitution, which says "the credit of the State shall not be given or loaned in aid of any person, association or corporation," that it is reasonable to presume they resolved that in the future, individuals and counties desiring roads should build them.

If there be any doubt on this point I suggest that there is ample time to present the question to the people before it will be safe to approach the Treasury for the object alluded to. I desire to repeat the language of my inaugural message: "Where individual enterprise and industry develop the resources of a portion of country and offer inducements, enterprising capitalists will compete for the privilege of penetrating it with a railroad."

Of the truth of that remark I was not then prepared for so early a verification as may be found in the appendix to my message in a table of facts taken and condensed from letters and reports furnished, at my request by railroad officers, to which, with great satisfaction, I invite attention.

It shows that, in the history of railroads in Missouri, no year in the past will bear favorable comparison with 1869.

The statement of my predecessor, in his last message, was gratifying; that, in the four preceding years "568 miles of railroad has been built." The year 1869 takes pride in the announcement that, in it alone, 360½ miles were built.

And, more than this, the following appears: that, while in January, 1869, 609½ miles were in course of construction, 1,035 miles were in course of construction at its close, in addition to the 360½ miles completed. Still more, it will be perceived that quite a number of roads are projected and being projected that are not yet in the course of construction.

That I shall speak of each of the roads named in the table referred to cannot be expected, and yet others will scarcely complain if I allude separately to a few. The

"South Pacific," to run from St. Louis to the Southwest corner of the State, and to be continued to the Pacific, is being constructed with great energy, has already reached the inviting region of which Lebanon, Laclede county, is to be a commercial center, and looks restlessly Southwest upon that great mineral and agricultural and grazing region into the very heart of which it will fully penetrate by next 4th day of July, when it will have reached Springfield, the future commercial and manufacturing importance of which I could not, by words, enlarge. The "St. Louis and Iron Mountain" has had added 69 miles in the year 1869, and is in operation 210 miles south from St. Louis, and opens up to enterprise valuable mines and some of the best timbered regions of the State, and, by striking the Mississippi river at Commerce, offers a St. Louis or a Southern market. The "St. Louis, Chillicothe and Omaha" has added 26 miles; the "Missouri Valley" 48; "Lexington and Sedalia" 36; "Lexington and St. Louis" 36; "St. Louis and St. Joseph" 40; "Alexandria and Nebraska City" 45. It will be seen that a road is contemplated from St. Louis through Franklin county, and to run on the south side of the Osage river to Fort Scott, Kansas; also another from Kansas City, by way of Springfield, to Memphis, Tennessee; two from Jefferson City, one southwest and the other west along the Osage Valley, and one from Ste. Genevieve, on the Mississippi river, west to Lebanon.

I doubt not these railroad enterprises will be continued, although the State is not at present in a condition to aid them. And while railroads cause the more rapid development of resources, at the same time their development causes the building of roads.

RESOURCES.

What Missouri needs is the devlopment of her resources. She should spread abroad correct information as to their diversity and immensity. They are not generally understood at home nor abroad. While possessing within her limits unusual facilities and most abundant materials

for almost every variety of manufactures, at the same time she is, comparatively speaking, destitute of manufactories. Nature has been lavish and we have been remiss. We are to day essentially an agricultural people, with what commerce we have based principally upon agriculture, but without cities and towns of manufactures to consume our agricultural products. We rely chiefly on markets for purchase and sale outside of our own State; even on the manufacturers of other States for the very furniture that is both necessary to and adorns our homes; for the white lead used in painting them; for our farming implements, both wooden and iron; for iron itself; for hardware and cutlery, for stoves and hollowware; for leather; for boots and shoes; for hats; for clothing, both woolen and cotton; for wooden ware; while we have, at our own doors, unsurpassed water power, the required timber, iron ore sufficient for the world, coal in abundance, lead ore in at least forty counties, and cattle and sheep upon thousands of hills ready to supply our own tanneries and woolen factories, and counties upon the entire southern line of the State cotton producing. Why do we not have our own manufactories of our own raw materials with towns and cities of busy operatives affording —while themselves employed, independent and comfortable —a ready market at the doors of our agriculturists for the meats and grain that now seek distant markets at a cost of transportation that might be saved, to pay for articles on which transportation and various profits might also be saved? Why not thus keep the wealth that goes to other States and countries at home, and reduce the burden of taxation by having more wealth to tax to raise a given amount of revenue?

With iron under our feet we send to other States and Europe for the manufactured article. Almost all the iron on the railroad tracks in our State come from Great Britain, in area but little larger than our own State, but through her manufactures one of the first powers of the world. We import white lead and pig lead, while in many counties of our State, in which not a single shaft has been sunk, the

lead ore looks out from the surface as if in derision of our indolence and ignorance, almost from the eastern to the western line of the State.

Bold streams and springs, though sufficient for Lowells all over our State, still continue to break the silence of solitudes, as they have been accustomed for ages, without the hum of spinning wheel and shuttle's noise; while our old citizens, unable to awake from the lethargy that slavery produced, send even their wool, dry hides and other materials to other States for manufacture, to be returned with profits, and capitalists of other States seem not to know that that curse is removed and that labor is honorable and remunerative with us.

The water-power of our State is absolutely unexampled. With two of the mightiest rivers of the world, one washing our whole eastern line and the other dividing the State near its center from West to East, we have other rivers and streams affording unsurpassed facilities for manufacturing, such as Grand River, Black, Current, Big, St. Francois rivers, White river with its many tributaries, Osage river and many tributaries, the Niangua rivers, the Pineys, the Gasconade, the Moreaus, the Bourbois, Neosho, Spring River, Nishnabotna, High Creek, Rock Creek, Long Branch, Chariton, Fabins, Salt River, Platte, the Des Moines, and last but not least, the Meramec that meanders through several counties and then empties into the Mississippi eighteen miles below St. Louis, and which should rival the Meramec of Massachusetts and New Hampshire, affording business to thrifty tens of thousands upon her banks.

The great desideratum in our State is to make these facilities available and develop these varied and immense resources. This can be accomplished only by the application and expenditures of capital and labor. How that capital and labor are to be obtained is therefore an important inquiry.

If, under any circumstances, it were ever wise for a State to engage in manufacturing or mining, no one will

advance the idea that our State can, in her present financial condition, embark in such enterprises.

Individual capital and enterprise must make the developments and reap the direct rewards. How can that capital and enterprise be induced to our State? The answer is plain: "Make the inducements known; spread abroad true information as to our resources." Moneyed men will invest in agricultural lands, in timber, in water-power, in mines of iron, coal and lead, in woolen mills, in flouring mills, in tanneries, and import operatives from other States and countries, and build up cities and towns, because their investments cannot be otherwise than remunerative. It is true, capital is sensitive, but it is equally true, that it is shrewd and seeks profitable investment.

What can we afford to do, in view of our financial condition as a State, in order to place before the millions of this and other countries correct information as to our climate, soil, agricultural products, minerals, timber, and water-power?

I submit for your consideration whether for this object further geological surveys of our State shall be made, and whether the reports of Professor Swallow already made, shall be published and distributed. As to the value of such reports there can be no question. The only embarrassing question is the one of finance connected with it. This is for you to consider.

As one means of imparting required information, I recommend what, in view of the object to be attained, will no doubt appear to be an insignificant appropriation: that of five thousand dollars additional, making seven thousand dollars annually to the Board of Immigration. I unhesitatingly say that no similar board has ever accomplished so much for a State with the same amount of money, as has in the past been accomplished by the indefatigable labors of three of that Board, Hon. Isidor Bush, Hon. Amada Valle and Hon. Frederick Muench; and certainly disinterested labors, as two thousand dollars only, have annually paid salaries, labor, rent, printing, etc; disinterested,

except as all good citizens feel an interest in the development and growth of the State. Their good has been accomplished chiefly by correspondence with others in Europe. A small additional amount at their disposal, to enable them to send abroad printed letters, pamphlets, books and circulars, with reliable information, will return ten thousand fold. That Board, or any other selected for the work, should be instructed to have prepared and disseminated in the other States of the Union information as to our resources. I so recommend.

In speaking, as I have, of manufactures and the importance of their being established in our midst, I would not be understood as undervaluing agriculture, which underlies, as a solid basis, all our other interests. But with agriculture alone we cannot have that dense and busy and thriving population of which our State is so susceptible. We want the fields of agriculture made inviting by making them remunerative, with markets by their sides for the surplus produced. We want the same price for wheat, pork and beef at every farmer's county town, or in his vicinity, from manufacturers, that they would bring if in an Eastern market or in Europe, when there may be there an occasional large demand. For the encouragement of our agricultural interest therefore, we should welcome and encourage manufacturers. They foster and strengthen that interest.

It is for you to have regard to all of these interests in your own State, and, as wise legislators, in your deliberations, leave the question of a national tariff to the wisdom and discretion of those selected as national legislators in view of whatever necessity there may be for a national revenue. At present there is but little that is practical to be arrived at by such discussion. No doubt there should be and will be modifications of the present tariff laws, so as to remove any burdens there may be as rapidly as possible and place the duties as much as possible upon articles of luxury. If that be the object of present discussions they are well. But I hope what are called "free trade" movements may be

regarded with suspicion. Should, in remote years, "free traders" be successful and the manufacturers of our country be broken down, and our whole population become agriculturists without home markets, we will see the beauty of "free trade" when we are left "free" to choose between Europe, Asia and South America and give our entire products to pay transportation. We will see the beauty when our Government shall have been bankrupted and be compelled as ever in the past to resort again to a tariff on imports. Common-sense people will take a common-sense practical view of these things and wisely tax themselves, in one sense, to procure manufacturers, just as lately the Council of Jefferson City made a deed of ground worth some thousands of dollars, in consideration of machine shops to be built that will add laborers and consumers to the population.

We certainly in our State should condemn anything like indecisive or vacillating national legislation on this subject, tending to cause doubt and fears among capitalists as to a future policy. While our natural resources are profuse and readily made available, uncertain national legislation may cause them to lie comparatively neglected as at present.

With stable legislation, no State has more flattering prospects. We have a population so increasing by immigration that one may reasonably calculate that the United States census of this year will disclose the fact that we number 2,000,000. With our unexampled and varied resources all we can manufacture will find ready market among the population west of us rapidly growing into new States. Our location is central between the oceans and between the lakes and gulf. We have one continental railroad line and destined to have another to bring us their share of the commerce and travel of the world, and a commercial metropolis so favored by nature that rivers and railroads must pour into her, in great measure, their wealth and make her the Great City of the Mississippi Valley, with a prospect equal, if not superior, to any of becoming the

capital of this nation—the greatest city in the greatest valley in the greatest nation in the world.

It will scarcely be proper to leave this subject without remarking that, while our resources are, comparatively speaking, undisturbed, still considerable progress has been made in public improvements other than railroads and to some extent in manufactures, with individual capital and enterprise. I can merely make mention of a few of these which I would be pleased to notice more at length were it not for the confined limits of a message.

The St. Louis bridge, designed to span the Mississippi and strengthen the bonds that now unite Illinois and Missouri, has justly been called the "boldest piece of engineering known." The work is progressing and we expect to see it completed to challenge the admiration of the world.

Another bridge across the Mississippi at Quincy, constructed some years since, serves to strengthen the tie that binds us to the same sister State, while a third is to be added at Hannibal and a fourth at Louisiana.

A substantial bridge spans the Missouri river at Kansas City, a source of pride not only to that city, but to our State; a second is progressing at St. Charles; a third to be built at Glasgow and a fourth to be at Leavenworth City to convince the people of progressive Kansas that we are willing to unite our destiny with theirs.

Cities have grown and others have sprung up.

St. Louis, our commercial metropolis, has increased in population and her commercial transactions, both in shipping and sales, were never so great as last year.

Our two cities of the Northwest and West, St. Joseph and Kansas City, have rapidly augmented in population and commercial importance and are, as railroad centers, stretching out their iron arms. Many other points are rapidly growing into importance and if space permitted would be named.

I would be pleased to speak of iron works from St. Louis and Carondelet to Ironton and upon the Meramec river; of one in contemplation at the mouth of Osage river;

of the destined importance of Hermann and some other points for iron manufacture, but it is a large subject of itself alone.

It cannot be expected that a message can treat of these subjects in detail. Detailed information should be published and sent abroad.

Our iron interests are sufficient for a pamphlet.

Our lead resources are sufficient for another; water-power for another; coal for another; timber for another; growth of wool for another; grape culture for another; growth of wool and grape culture on the very hills beneath whose surface are inexhaustible supplies of iron, coal and lead; and for another the desirableness of the entire southern tier of counties for mining, for fruit culture, for cotton growing, together with their pure gushing streams and their delightful climate.

PENITENTIARY.

In directing attention to State institutions, I have to remark that it is my deliberately formed conviction that the Penitentiary is in as satisfactory condition as possible under present laws and the want of sufficient room for the more profitable employment of the convicts. The institution never has been self-sustaining. It cannot be for some years, until the prison yard shall be enlarged by extending the wall so as to give room for additional work-shop buildings and until work-shops shall be built.

There are not, within the present walls, shops sufficient for the employment of half the convicts, and there is no room for more shops. Consequently, less than one-half have been employed for moneyed compensation from contractors.

While the others have been employed with profit to the State, the institution has received no moneyed credit, and the footings and balances are therefore not so favorable in appearance for the institution as if the labor had been performed for contractors for money. The labor for the State has been, however, most important and essential.

Convicts have been employed in quarrying, hauling and dressing rock, and in erecting the new cell building, which has progressed well and is much needed, as at present 740 convicts are confined at nights in cells originally intended for 356.

It is a very substantial building, and of capacity for about 500 convicts. It is expected it will be ready for the roof next fall. The erection of this building being most important, it has received special attention. Next in importance is the extension of the walls and additional workshops. This work will require some years of labor.

Should any be disposed to censure or cast reflections for the reason that the compensation paid by contractors for the labor of convicts is but forty cents per day, while in some other States it may be one dollar per day for like labor, I desire to give this information: That by an act of the Legislature, approved 20th March, 1868, the contract prices were reduced from 60 and 65 cents per day to 40 cents; that contracts then existing have been continued, and that the contractors have a right which then vested to continue them for two or three years. Those of them whose contracts expired have given the present Warden notice that they will continue them.

In the year ending 6th December, 1869, 285 convicts were thus employed. The receipts for this and other labor in the year ending 8th December, 1868, were $33,489.27, and for the year ending 6th December, 1869, $34,716.19.

From statements furnished me by Capt. Steininger, the present Factor, of various accounts in the years ending 8th December, 1868, and 6th December, 1869, taken from the prison books, and being the same accounts in each year, I perceive that the excess of expenses above profits, so called, in 1868, after deducting subsistence on hand, was $75,255.95, and in 1869, $56,669.77, making a difference in favor of 1869 of $18,586.18.

For a comparison, more in detail, you are invited to statements and report by the Factor now in the hands of the Inspectors.

According to statements of the Factor, the average number of convicts, for 1868, was 702, and for 1869, 734; showing that, with thirty-two more convicts each day, for the year 1869, there has been a saving of $18,586.18, or $50.92 per day.

I invite and urge an examination of these statements and figures.

Much credit is due an efficient Factor for care in purchases. At the same time we must divide praise with others to whom a portion is due. The Warden's requisitions are filled by the Factor who purchases what is required. And I cannot pass unnoticed the subordinate officers, Deputy Warden, Commissary and others, who must be honestly and economically discharging their duties or there could not be so favorable a report. So far as I can obtain information, they are giving, as the law requires, their exclusive attention to the business of their offices.

For public information I here state that the only officers of the Penitentiary appointed by the Governor are Warden, Factor, Clerk and Physician.

An appropriation was made 25th of March, 1868, of $50,000, and the indebtedness on 7th of December, 1868, was $74,860.57, as per Factor's report, for payment of which an appropriation was made on 4th March, 1869, of $70,000. And a committee was appointed by your body to investigate the claims and for other purposes.

The present Factor reports that there were errors and that the actual indebtedness, then was $76,013.53, and that that sum was reduced; by amount paid out of earnings between 6th December, 1868, and 16th February, 1869, the time the present Factor entered upon the office, to $73,879.74, but increased in new debts, during the same time $10,074.03, so that when he qualified the debt was $83,953.77.

He used the $70,000 appropriation to pay that $10,074.03 and $59,925.97 of debts contracted prior to 7th December, 1868. This leaves, unprovided for by appropriations, of the old debts, $13,953.77 and $22,052.86 of

debts created in 1869, after the present Factor entered upon his duties, over and above cash and other assets in hand.

In other words and figures, he gives, as cash and other assets, $23,588.54, and the amounts due to individuals $59,595.17, leaving the institution in debt, 6th December, 1869, $36,006.63 over assets.

The Factor is, however, of the opinion that a portion of the assets are unavailable, being debts that cannot be collected. A portion consists of accounts against the State. For these, three thousand dollars should be added, as well as $2,000 for interest not calculated. These amounts make $41,000, for which an appropriation is required and recommended to clear the institution of debt.

The above figures show that about $57,000 in addition to receipts would have run the institution in the year 1869, if purchases had been made for cash. Should an appropriation be made in advance for the present year, and which I recommend, the amount should be $60,000, as next fall an outlay will be required for the roof of the new cell building. This appropriation should be made in advance, so that the Factor will not be required to purchase on credit. More than interest can be saved to the State by purchasing for cash. The appropriation could be drawn, from time to time, with the approval of the Inspectors.

In the report of the Factor in the hands of the Inspectors, it will be perceived that besides subsistence and forage, light and fuel and expense accounts, over $7,000 were expended for the new cell building, over $9,000 for clothing, over $2,500 for repairs and improvements for the prison, over $4,000 for the wool factory, where convict clothing is manufactured, and $3,000 for a new cabinet shop, all in cash. It is worthy of remark that convict labor during 1869, for which no payment will be received, has been performed to the amount of 40,040 days, on new cell building, on street and grounds at Executive Mansion, on Capitol grounds, on city improvements and on repairs and improvements at the prison; and that, if a fair credit

were given to the institution, it would be much nearer self sustaining than is generally supposed. In addition to this, 10,163 days' work has been performed in the machine shop at the prison, in tailor's shop, and in the wool factory, for which no credit is given.

With sufficient workshops, I see no reason why the institution cannot be self-sustaining, either under the present system of hiring to contractors or by manufacturing under such regulations as may be adopted. With workshops 600 men out of the present number of male convicts (740) might be employed. Their labor for three hundred days in the year, at fifty cents per day each (a very moderate price), would yield $90,000. Still I am satisfied there should be some changes in the laws governing this institution. There is not for it a sufficiently defined head to which responsibility sufficiently attaches under the law. The injurious effect of this has not been apparent in this administration, as harmony has prevailed, as I am authorized to say, between the Inspectors and the Warden; but discord is liable to occur under any administration. Portions of the law would indicate that the Inspectors, Attorney General, Auditor and Treasurer, are the responsible head, while other portions seem to make the Warden the responsible one, and he certainly is in the eyes of the public, unless it be the Governor who appoints. There should be a known responsible head. The ex-officio Inspectors, with other important duties to discharge, for which they are directly responsible, cannot give sufficient attention to the prison, although I can truly say the present ones have been faithful. Furthermore, as they are State officers, they are liable to change every two years with an entirely new set of Inspectors inexperienced in prison affairs.

The Inspectors should be nine, three to vacate at expiration of three years, three of six and three of nine years; all to be nominated by the Governor and confirmed by the Senate; to serve without compensation, unless actual expenses; to be selected as Curators for the State University, and Managers for Asylums, from gentlemen of known charac-

ter and intelligence from various parts of the State, who are willing to serve.

In my opinion the Warden should be made and held to be the responsible head. The necessary bond should be required of him. The Factor and all subordinate officers should be appointed by him, and hold their offices at his absolute pleasure. The Warden should be confirmed by the Senate, or both nominated and confirmed by that body, and hold the office during good behavior, and be subject to removal only by the Senate upon a two-thirds vote. I recommend that the laws be so changed, and take effect on the 15th day of January, 1871, or at any earlier day the Legislature may deem proper.

In this way the State may continue the benefits of the experience and services of a good and competent officer when so fortunate as to have one and not incur the losses, pecuniary and other, incident to removals, for political or personal reasons, by each succeeding administration.

I invite as rigid an investigation of the affairs of this institution, during the present administration, as any one may desire to institute; as to its financial, its sanitary and its disciplinary management.

What was called a "trusty" system was found in existence. Its workings were found to be hurtful to the prison, and injurious to the public, and remedies were applied to correct the evils.

ANOTHER PENITENTIARY IN ST. LOUIS COUNTY.

In view of the probable increase in the number of convicts, I recommend the consideration of the propriety and expediency of erecting a second Penitentiary in St. Louis county.

PARDONS.

There have been pardoned by me, under a law favoring the pardon of convicts whose conduct shall have been good, who shall have served three-fourths of their term, 230 convicts, on the recommendation of the Inspectors.

Under the Constitutional power conferred upon the Governor, I have pardoned from the Penitentiary but thirty (30). Some of these had served within a few weeks or days of three-fourths of their respective terms of service, and others within a short time of their entire terms. I invite investigation of the records to see if the power has been abused. I shall continue to exercise the power with caution, and will not interfere with the verdict of a jury and sentence of a court, unless facts to justify come to light after conviction, or where it is manifest that the guilt is only technical, and does not deserve the extreme rigor of the law. I am convinced that it is the certainty of the enforcement of laws that insures respect and makes them a terror to evil doers. Pardons and commutations of punishment easily obtained are but encouragements to crime and to mob violence. Reasonable doubt among the people as to the certainty of punishment causes them to resort to its infliction by their own hands without law. To avoid disgraceful scenes, let punishment be adequate and certain.

CAPITAL PUNISHMENT.

As to capital punishment, if the General Assembly consider it barbaric, it would be well to remove it from our Statutes during my term of office. I am not satisfied of its barbarity. The teaching of Christianity is: that the ruler "beareth not the sword in vain, for he is the minister of God, a revenger to execute wrath upon him that doeth evil."

PUBLIC BUILDINGS AND GROUNDS.

I ask attention to the fact that the efficient Superintendent of Public Buildings and Grounds has felt compelled to make some outlays, in advance of appropriations, in order to keep pace with city improvements, and preserve public property.

UNITED STATES BUILDING FOR JEFFERSON CITY.

I recommend a resolution requesting an appropriation by Congress for the erection of a building in Jefferson City for the United States Courts and necessary offices, a Land Office, and Post Office.

NATIONAL CEMETERIES.

I recommend that your assent be given to the purchase of land already made by the United States under the act of February 22d, 1867, for the purposes of National Cemeteries at Jefferson City and at Springfield, Missouri, and for the cession of exclusive legislation over the same, as required by section 8, article 1, of the Constitution of the United States; subject to the provisions of section 1 of the act of March 2d, 1795. I will transmit to the House a communication from the Secretary of War on the subject.

INSPECTION OF OILS.

There are defects in our laws regulating the inspection of oils which should be remedied. I suggest that the Inspector of Oils at St. Louis, be requested by the appropriate committee, to appear before it and give the necessary information.

COUNTY BOUNDARIES.

I refer to the last message of my predecessor as to the survey of and properly defining county boundaries. It is for you to determine whether the expenditures involved would justify the benefits to accrue, at this time.

BOUNTIES TO M. S. M. VOLUNTEERS.

I ask your consideration of the subject of bounties to those of the M. S. M. Volunteers that are not entitled to them under the United States laws, for the reason that they did not, for various good causes, serve the required time. They are equally deserving with others. At the same time

our Congressmen should be requested and instructed to urge a bounty law paying all volunteers eight and one-third dollars per month for the term served.

TAX ON RAILROADS.

I recommend that the laws taxing railroads be revised, and, so far as can be, made uniform, and that all railroads be taxed that are not plainly relieved by past legislation, in such form as to make their freedom from taxation a vested right.

The Auditor has bestowed much labor upon this subject and prepared a statement of facts and of the various laws as applicable to various roads, which would be of very great service to a committee considering the subject. I hope this subject will receive your earnest attention.

COMMUTATION TAX.

I ask attention to that part of the Auditor's report, to the Adjourned Session of the 24th General Assembly, which treats of the commutation tax and to the statement showing that the county of Callaway is in arrears $82,119.78.

ASSESSORS AND COLLECTORS.

I recommend that the laws requiring the performance of duties by assessors and collectors be carefully examined, revised and amended and made more stringent with severe penalties attached for non-performance of duties as defined.

INTERNATIONAL EXHIBITION AND OTHER SUBJECTS.

I invite attention to the following subjects: International Exhibition, in 1870, at Washington City; Improvement of Fox and Wisconsin rivers; International prison association; Claim of Messrs. White & Co.; Claim of Judge Clover of St. Louis; Claims for supplies, &c., during the "Price raid" of 1864; Appointment of immigration agents; Memorial upon the subject of the harbor of Mobile; all the papers and documents relating to which I will transmit to the House.

SALARIES OF JUDGES.

I deem it my duty to recommend an increase in the salaries of Supreme and Circuit Judges. They are not sufficient to secure the best legal talent of the State, unless the honored possessor is at the same time favored with a private fortune.

ADJUTANT GENERAL'S OFFICE.

I have received from the Adjutant General a report of the operations and condition of his office, which includes that of the Quartermaster General, Paymaster General and State Claim Agent, from March 8, 1869, the date when he entered upon the duties of his office. Some legislation will be necessary for each and all.

I might make suggestions and recommendations, but consider that they could not be of sufficient value to justify the time, for the reason that I should at least recommend no legislation until you have thoroughly and rigidly investigated the affairs of these offices and scrutinized the records.

You would not and should not legislate until you receive a report from a committee of your own body after investigation. I therefore will transmit to the House the report of the Adjutant General which covers more than thirty pages of manuscript, for information and for use of a committee.

I extract from that report the following language: "On taking charge of the several departments above mentioned, they were found to be in a confused condition, and without system as to their general business arrangements, except as to the office of State Claim Agent. The current business of nearly two months' accumulation was on hand undisposed of. Many records, pertaining to the various departments, were not found on file. It is, however, probable that, in some cases, these records have never been supplied, owing perhaps to negligence or inefficiency, or perhaps both, on the part of those whose duty it was to

supply them. Other records of importance which, if complete, would be of great advantage in facilitating and dispatching business, and convenient as matter of reference, were found to be incomplete."

I have received the statement orally that a large number of claims were found filed in the office of Quartermaster General for supplies to the militia organization; that no other record of them could be found; that there was nothing to show that a commission, dissolved 1st December, 1868, that had been in existence eleven months, had passed upon the claims, either by indorsement upon the claims or otherwise, although two of the commission, at eight dollars per day each, had been paid $5,280.

A commission was ordered by me which was in session a few days over a month, at an expense of about $350.00, which examined the claims and gave the necessary information under the law to claimants or their attorneys. Of these irregular claims no doubt some are just, and the Adjutant General, in his report, or otherwise, is prepared to suggest what changes in the law are necessary before they can be paid.

For the business in the Paymaster General's Department, there is greater necessity for investigation.

The former Adjutant General, in his report of 1st, January, 1869, gives an abstract of amounts due for militia service, aggregating $267,073.85.

The present Adjutant General states orally that there is not more than one fifth of the pay rolls on file in the office, and nothing to verify anything purporting to be a record.

This is not satisfactory, when it is represented to me, by positive statements, by individuals of high standing, in two counties, that the claims mentioned in said abstract as for those two counties, one of which is named for a large amount, were undoubtedly paid, through their own hands as agents; and when that statement is accompanied with another: that the attempt has been made to circulate pay-rolls a second time for the signatures of those who had received their pay.

What other counties there may be in the same condition it is impossible to say at this time.

Such suspicion is thrown upon the whole abstract, that no appropriation should be made before investigation. I make no charges, but I say the truth should be known and the public interests require that there should be no delicacy of feeling.

I ask an early investigation, that there may be such legislation as will enable just claims in any department to be paid.

AGRICULTURAL COLLEGE LAND.

For the encouragement of agriculture and the mechanic arts, in July, 1862, the Congress of the United States made a donation of lands to several States and Territories. The grant of land and land scrip so made was on conditions. One condition was: "the previous assent of the several States shall be signified by legislative acts."

I find on page 36 of the laws of Missouri for 1863, that the General Assembly did, in proper form, express assent and acceptance "with all the conditions, restrictions and limitations." The joint resolution was approved March 17, 1863.

An examination of the act of Congress of 1862 discloses the fact that another condition of the grant was as follows: "Any State which may take and claim the benefit of the provisions of this act shall provide within five years at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease, etc."

Referring to the fourth section of said act, we find that "the leading object" of such college shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts." Such a college has not been provided or designated.

The five years, named in above condition, expired on March 17th, 1868, and my predecessor, in his message of January, 1868, directed the attention of the Legislature to that fact.

I recommend that you take prompt action, and, when such college is provided, have Congress properly informed that such national-legislation may be had as will make valid the selections of land already made under the grant and entitle the State to select the remainder.

The subject of the location of such college has been so thoroughly discussed by you that I will not presume to recommend.

SWAMP LANDS.

It gives me pleasure to state that the Register of Lands, by visiting Washington City in person and without employing any assistance at the expense of the State in prosecuting her claims, succeeded in getting up such forms for proof that already the State is receiving scrip as indemnity for lands that had been selected as swamp lands and afterwards sold by the General Government.

Already proof has been furnished for 215,000 acres. The whole will probably amount to 40,000 acres for which the indemnity will be scrip for about one-fourth and money for the remainder, all of which goes to the "public school fund" for the counties that are entitled to their respective portions.

The Register of Lands seems to be the agent under the law to locate the scrip. I invite your attention to the law, as it should be made plain. He should be the agent, as so many counties have been heretofore robbed by unscrupulous men. He should be required to personally inspect the lands before locating the scrip.

Under the act of 10th March last, the Register has patented to counties 1,033,000 acres of swamp lands.

I earnestly recommend that the legality of sales by certain counties of these lands be inquired into as for instance 10,000 acres in Vernon county at one cent per acre.

Every possible guard should be thrown around these lands as they were granted for school purposes. For further information on this subject, I refer to a report of the Register of Lands made by request to the Superintendent of Public Schools and embodied in his report.

MILITARY INSTITUTE.

The Board of Visitors of the "Missouri Military and Collegiate Institute," situate at Lexington, recommend that the State do not release her claims thereon, but that the school be temporarily suspended. The Board have not made arrangements to continue it during the present college year, commencing September, 1869.

From information from the Board and from other sources, I agree in their recommendation.

Should "Normal Schools" be established, I suggest the propriety of considering whether or not this property might not be desirable.

ASYLUMS.

To urge your attention to the wants of our charitable institutions would be to insult your intelligence and humanity.

Your attention will be given and information sought through proper committees as to their condition and necessities.

I will place before the committees such communications as I have received. So far as I am informed the officers and boards are competent and efficient.

There seems to be a necessity for an immediate appropriation for the Blind Asylum at St. Louis.

PUBLIC SCHOOLS AND FUND.

The Permanent Public School Fund consists of:

Bonds held by State Treasurer (6 per cent. U. S. gold)..	$1,567,850.00
Bonds held by State Auditor (Missouri 6 per cent.).....	20,000.00
Money in the Treasury to be invested.....	29,512.67
	$1,617,362.67

Words of mine as to the benefits of our public school system would justly be called an attempt at display, when it would be considered that I am addressing the representatives, in the Senate and House, of a people who have provided such a public school fund as the above and have

engrafted into their Constitution the following: "A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the General Assembly shall establish and maintain free schools for the gratuitous instruction of all persons in this State between the ages of five and twenty-one years."

There is a most healthful school sentiment existing in our State. In some counties there has no doubt been injudicious and indiscreet taxation and it may be that it will be found by you that there is too much power in the hands of school directors. If so, having lately mingled with your respective people, you will be prepared to apply a remedy, bearing in mind that too much legislation on this, or any subject, is probably more hurtful than too little. There is no doubt a necessity for legislation for the purpose of correcting irregularities, and probably, abuses in the handling of township school funds and for more perfectly securing them and for the purpose of gathering up apparent losses growing out of the general derangement during the war.

I invite attention to the report of the Superintendent of Public Schools which will shortly be presented, and to his suggestions and recommendations. I ask also your attention to his expressions and recommendations on the subject of "Normal Schools." The necessity of providing for an efficient corps of teachers is apparent.

It may be, by you, considered of sufficient importance, in view of the financial condition of the State, to give for such purpose a part of the one-fourth, collected under the revenue tax, that is now applied to the Common School Fund.

STATE SEMINARY FUND.

Bonds held by Auditor (6 per cent. U. S. gold) $100,000, constitute a permanent "Seminary Fund."

REFORMATORY SCHOOL.

The necessity for a Reformatory School in our State, for the young convicted and imprisoned for the milder

offenses, is so apparent, that I merely direct your attention to the subject and ask its consideration with a proper regard to our financial condition.

FIFTEENTH AMENDMENT.

Among the most important business demanding, and which I trust will receive early attention, is the consideration of the proposed Fifteenth amendment to the Constitution of the United States.

As justice, humanity and good faith in vindicating the truth that "all men are created equal," alike require its ratification, I cannot doubt your action will be without delay.

At an early moment I will place before you, by transmitting to the Senate, an attested copy of a resolution of Congress proposing said amendment.

CONCLUSION.

I doubt not you will be guided in all your deliberations by prudence and wisdom and I trust your legislation will contribute to the preservation of good order and the promotion of general intelligence and happiness.

But stern lessons, drawn from history, teach us that the best of laws, that education and intelligence, that wealth and systems of industry have no inherent preserving power for themselves or a State. The people that receive their laws most direct from Heaven, written by the finger of God, became servants in their own land when they wandered after false gods and today are scattered throughout the world without a recognized nationality. Ancient seats of arts and sciences and cities of wealth have been cursed for their wickedness, have crumbled to dust and their places have become unknown.

That nation is preserved that recognizes, in righteousness, that "the Most High ruleth in the kingdom of men."

J. W. McCLURG.

EXECUTIVE OFFICE, 5th January, 1870.

BIENNIAL MESSAGE

JANUARY 6, 1871

From the Journal of the Senate, pp. 14-26

Senators and Representatives:

To the legislative, more than to any other department of our government, are committed the destinies of this Commonwealth. The sovereign power belongs to the people. You, as their representatives, embody their will into laws that are merely interpreted by the judiciary and enforced by the executive, who are themselves amenable, under those laws, to the people.

Your duties are therefore most important.

I but obey a Constitutional obligation in attempting to "give information relative to the state of the government," and to recommend "measures necessary and expedient" to aid in the discharge of your duties.

While I have this honor, it is a source of pleasure to be able to congratulate you and the people of our State on its present peaceful and highly prosperous condition. During the year just passed no general public calamity has befallen us; the earth has responded liberally to the demands of the husbandmen and supplied the wants of a rapidly increasing population; our commerce has largely increased with greatly extended facilities; our manufactures have multiplied, and mines made new and enlarged disclosures; while intelligence goes abroad from seats of learning in equally increased proportion.

RESPECT FOR THE LAWS.

While animosities engendered by the late internal war have shown themselves in individual cases in some few localities, the local municipal officers have been so well sustained by the general sentiments of their respective communities that they have been able to enforce laws, and no

irregularities have required State executive interference, save in a late instance to check a disposition to resort to mob violence to punish those believed to be guilty of the heartless butchery of a family.

So wholesome has been the respect for the laws that we have lately passed through a canvass, somewhat exciting, and an election for State and county officers and members of the Legislature, without any violent manifestations of disregard for them. This is the more remarkable because important constitutional amendments were discussed and voted upon, some of which directly involved questions of policy and justice in the treatment of those who had engaged in rebellion. But so heartily is the right of free speech accorded under our republican government, that such discussions were conducted peaceably; all seeming to prefer that all differences should be settled at the proper place of arbitration, the ballot-box.

THE DECISION.

The recent revelation of the ballot-box is creditable to our people, alike manifesting the patient forbearance of those claiming to be unjustly deprived of rights and the magnanimity of others, equally sincere, claiming to be governed by views of public "safety."

Brave men, respecting bravery in antagonists and confiding in each other's sincerity and honesty, have removed all distinctions before the law and left standing no legal barriers to an equal enjoyment of civil and political privileges on account of race or color or participation in the rebellion.

So general was this feeling, as revealed by the ballot-box, that the fact cannot, if attempted, be disguised, that there was no organized opposition by any party, or by any organized faction or wing of any party, to any of the six constitutional amendments that were proposed, all of which were ratified by overwhelming majorities, and have been in legal form proclaimed parts of our Constitution.

What are known as the "suffrage" and "office-holding" amendments were voted against by a proportionately small number of earnest and honest patriots, who did not believe the time had arrived when the rights thereby affected could, with "safety to the State," be restored but they bow to the will of the majority.

LET IT BE ENFORCED.

If, therefore, there is general sincerity and not general duplicity, we have entered upon a new era of peace and good will among men, the benefits of which will be continued and multiplied if those in power will but promptly visit with punishment those who may attempt to disturb restored peaceful relations. And let me here urge upon those who will soon assume the responsible duties of enforcing the laws, the wisdom and necessity of visiting with speedy and rigorous punishment, to their full extent, the first and every exhibition of violence in disregard of the late peaceful arbitrament of the ballot-box, which is: that the past shall be forgotten and that political distinctions on account of race or color or rebellion, shall no longer exist.

PRESENT AND PAST.

In obedience to the voice of the people, I will soon surrender to another, as the chosen Executive, the reins of our State government, which were committed to my care two years ago. I will therefore be indulged in gratifying at this time, a laudable pride by saying: Missouri does not occupy a less prominent position among her sister States than in January 1869; the people are not less contented; labor is not less remunerative, proportionately, nor capital and enterprise less productive of comfort and wealth. Statistics will show that the wheels of progress have not been motionless, and therefore it is to be inferred that with no future impediments the march of improvement must still be rapid and onward.

POPULATION.

The actual increase in population in any given year cannot be ascertained; but the United States census for 1860, and that for 1870, exhibit the facts that while in 1860, Missouri was the eighth State in the Union, it is the fifth in 1870; that while in 1860 our population was 1,182,000, it numbers 1,714,000 in 1870, showing an astonishing increase in ten years of 532,000.

It will not be forgotten that Missouri was a border slave State, and that many portions of its territory were devastated and depopulated, and that its aggregate population was actually reduced during the war; so that the recuperation and increase have been since the spring of 1865, say in five years.

WEALTH.

This increase of population consists in a large degree of the intelligent, independent and enterprising, as evidenced in part by the increased wealth of the State, which is indicated by the increased amount of taxable property, the assessed value of which, in 1869, was $508,278,860, and for 1870, $557,685,387 (one county not being reported), showing an increase of $49,406,527, being over 9½ per cent. per annum. This taxable wealth is, or should be, the regulator and adjuster of our State finances, and should control legislation to a great degree.

FINANCES.

In this taxable wealth alone has the State any assets, so to speak, save only $300,000 that will be paid by the South Pacific Railroad Company in equal installments on the first of June of each of the years 1874, 1875, and 1876; but it is sufficient, with judicious business management, to enable us to continue to pay our State interest and the principal of our State debt promptly at maturity, at least until 1875 or 1876. The present administration has been able to sustain our State credit, owing much to prudent legis-

lation, although our expenses might have been curtailed by shortening the sessions of the Legislature, without any material detriment otherwise.

Our means are not such that we can sustain our credit, and at the same time indulge in experiments and extravagance. I repeat, in other words, we have no means other than through taxation for defraying our ordinary expenses, and paying the interest on and eventually the principal of our State debt.

It is your duty as wise legislators to look further than this into the future, and provide for, or calculate for, a reduction of the rate of taxation. If we extravagantly spend whatever increased amount we receive from the taxation of increased wealth, of course we cannot reduce the rate.

As I remarked in my last message "our people demand a reduction of the rate of taxation before liberality can be commendable or should be tolerated."

With proper economy we can hope that the Legislature, at the session of January, 1877, may be able to take steps for lessening the rate. Prior to that time it cannot be done. This is made more apparent by the following figures.

At the close of 1868 our State debt was $18,654,000; of 1869 it was $18,595,000; and of 1870 it was $17,866,000, showing a reduction in the two years of $788,000, that for 1870 being $729,000, while the current expenses have been paid as well as over half a million of dollars, semi-annually, of interest; that due in January, instant, having been remitted, as required, to New York.

This reduction of our debt has been by the purchase, with surplus funds, of bonds before maturity, as required by the law of the 21st of March, 1870. I regard it as not only proper, but discharging a duty to the deserving, to say on this occasion, much credit is due to our efficient Fund Commissioners, the State Treasurer and State Auditor, who, consulting the best interests of the State, availed themselves of the lowest markets for the purchase of our bonds, and saved at least $40,000 to the Treasury, which they might

have put into individual pockets by conspiring with others and by giving public notice, advancing the price.

Let us prudently see what are our means, what we necessarily have to pay out, and what surplus, if any, we can expect to have, and in what year.

1871.

Our available means for 1871 are:

Amount yet to be received on assessment of 1869	$190,000	
Amount yet to be received on assessment of 1870	1,694,521	
Cash on hand, January 1, 1871, in current funds, belonging to revenue fund, in excess of outstanding warrants	31,248	
Cash, January 1, 1871, in the interest fund	231	
Total means		$1,916,000
To be paid in 1871:		
Ordinary expenses of the government	$900,000	
Interest on State debt due July 1, 1871, and January 1, 1872, (amount due January, 1872, to be remitted in December, 1871)	1,067,000	
On session of Legislature, 70 days (average length)	188,450	
The public school fund out of revenue fund	239,500	
Seminary fund, out of revenue fund	12,573	$2,407,523
Showing a deficit of		$491,523

To be made up from collections on assessment for 1871, and to be paid in by December of 1871, which may reasonably be calculated upon, such collection in 1870 being $510,000.

1872.

Means for 1872 are:

For revenue and interest funds, collections on the assessment of 1871, estimating the increase of taxable wealth to be ten per centum, and after deducting amount collected up to December, 1871	$1,900,000

To be paid in 1872:		
No session of the Legislature		
Semi-annual interest, July, 1872	$533,500	
Ordinary expenses of the government	900,000	
Public School fund	307,587	
Seminary fund	16,146	
Bonds due in 1872	422,000	
Interest for January, 1873, to be remitted in December, 1872	508,180	$2,687,413
Showing a deficit of		$786,713

To be made up from collections on assessments for 1872, and to be paid by December of same year.

1873.

Means for 1873 are:

For revenue and interest funds on assessment of 1872, estimating as heretofore		$1,920,057
To be paid in 1873:		
One session of the Legislature	$188,450	
Interest, July, 1873	508,080	
Ordinary expenses of government	900,000	
Public school fund	338,346	
Seminary fund	17,762	
Bonds due in 1873	601,000	
Interest for January, 1874, to be remitted in December, 1873	477,440	$3,031,178
Showing a deficit of		$1,111,121

To be made up from collections on assessments for 1873, and to be paid by December of same year.

1874.

Means for 1874 are:

For revenue and interest funds, estimating as heretofore		$1,866,326
To be paid in 1874:		
No session of the Legislature		
Interest, July, 1874	$477,440	
Ordinary expenses of government	900,000	
Public school fund	372,180	

Seminary fund	19,538	
Bonds due in 1874	811,000	
Interest for January, 1875, to be remitted in December, 1874	428,780	$3,008,938
Showing a deficit of		$1,142,612

To be made up from collections on assessment of 1874, to be paid by December of same year.

With these figures before us, which must be conceded to be very liberal even by those disposed to be extravagant in their calculations for the future prosperity of the State; and, with a knowledge of the further facts that in 1875 there will be a session of the Legislature; that in that year $1,132,000 of bonds will mature; that, in 1876, $3,083,000 of bonds will mature, and $1,047,000 likewise in 1877; it is not difficult to see that with prudent legislation alone will we be able to sustain our credit with any hope of reducing the rate of taxation prior to 1877.

RAILROADS.

In view of these figures and facts, I will not insult the intelligence of this General Assembly by supposing that any cunningly devised railroad scheme can be encouraged that would divert revenue from the State Treasury and apply it to county purposes in such a direction.

We cannot be unmindful that our present State debt is almost exclusively in consequence of railroad legislation.

The system devised some years since being completed, there is no longer any necessity for State aid, even by indirect legislation. The resources of our State are becoming so well known that enterprising capitalists are contending for the legitimate rewards in store for the roads that bear the abundant treasures to market. In nothing does capital more readily seek investment than in railroads. At least this is certainly the present experience of Missouri, as is fully shown by a tabular statement prepared from letters and reports of presidents of railroad companies, written by request, which statement is herewith presented as an ac-

companying document, and to which, with pride, I ask attention. The figures are astonishing; so much so that it is difficult to realize the truth. The year 1869 was signalized for giving 360½ miles of new road, when the four preceding years had added but "568." But 1870 presents us with 417½ additional miles, and 1,182 more in the course of construction on the first of January, 1871. For general information I will add that there are now in Missouri 2,055 miles of completed railroad.

The officers of other roads will hardly complain if I mention specially two or three.

Missouri Valley R. R.—The Missouri Valley Railroad has been completed to the Iowa line in the time required by law, and is now consolidated with the St. Joseph & Council Bluffs Railroad, under the name of the Kansas City, St. Joseph & Council Bluffs Railroad.

Missouri, Kansas & Texas R. R.—Has been built this year from Sedalia to Fort Scott, 105 miles, on which the cars are now running. It traverses one of the finest agricultural portions of our State.

South Pacific R. R.—One hundred and thirty-one miles of this road were built last year, completing it to a point near the western line of the State. It has become a part of, and is merged into the Atlantic and Pacific Railroad, which was chartered by act of Congress of July 27th, 1866, with a grant of lands to aid in the construction of a railroad from Springfield, Missouri, to the Pacific Ocean along or near the 35th parallel of latitude. The value of this road to our State is incalculable.

ADJOURNED SESSION.

Passing from the subject of railroads, as one not likely to embarrass our finances by further legislation, I can think of but two propositions likely to be made, the non-entertainment of which would save money to the State, advance its bonds above present high rates, and redound to the just credit of the present General Assembly. The first is for an adjourned session of the Legislature. I have already stated

the expense of a session of seventy days to be $188,450. The pay and contingent expenses amount to about $2,335 per day, exclusive of copying and printing laws and journals, which amount, for an ordinary session, to about $25,000.

CONSTITUTIONAL CONVENTION.

The second or other proposition I refer to, as one that will probably be made, is for calling a convention to form a new Constitution. Such a proposition should be summarily tabled. What might be wise and desirable under some circumstances, may be very unwise under others.

Our pecuniary condition does not justify the attempt to frame and adopt a new Constitution, and cannot for some years, as the figures I have presented, demonstrate.

The mileage and pay of sixty-eight members for a session of ninety days, together with pay for clerks and officers, contingent expenses and printing, could not amount to less than $100,000, to be taken directly from the State Treasury. Then would necessarily follow a revision of the Statutes, their publication and distribution, which would require an additional sum of $50,000. All this is exclusive of the expense of three separate elections to which the counties, many of which already groan under burdens of taxation, would be subjected. Neither is there any immediate necessity for a new Constitution. If we had ample wealth and no scrutinizing creditors, it would perhaps be gratifying to lay aside a coat having a few places threadbare; but reflecting people will have increased respect if we wear it until we are able to pay for a new one. Indeed the old one is so handsomely patched that an expert only can discover any defects. The common people cannot, although the professions and designs of some may cause them to attempt to point them out.

Surely no larger freedom than now enjoyed can be desirable, unless we are willing to adopt the dangerous position that the general good justifies no abridgment of personal liberty. All male citizens, twenty-one years of age, without distinction of race or color, have equal access to the

ballot, to the jury box, and to office; neither is the ballot-box closed against the foreigner who has been a resident of the State one year, and declared his intention to become a citizen of the United States.

If more than all this be desired, it can only be female suffrage.

It is true there might be general gratification at the change of a few words in the Constitution, if we could properly call a convention. But the world knows we are now free in the spirit of the United States Constitution, and that Missouri stands prominently forth disenthralled, regenerated and redeemed.

We have prospered in an unprecedented degree under a constitution lately amended in six particulars—all that were presented by the last Legislature. Surely we should continue to prosper under it in its improved condition.

Furthermore, the public mind requires rest. An important political campaign has but recently ended. Can you afford to provide for three others in quick succession, that the people shall assemble for public, exciting, though useless, discussions, and go yet three times to the polls, from half cultivated fields and neglected workshops, in the next six or twelve months? Can the people afford thus to neglect their material interests when their desire is to relieve the State of debt and reduce taxation? Can you afford to exhaust their substance in pursuing a shadow some may call "progress?"

If amendments be needed on female suffrage or other subjects, the constitution now points out an easy mode for their presentation, without the useless expense of special elections and a convention.

The expense of elections falls upon the counties, and the expense in an average county is at least $225 for one election, and for three $675. Three elections would cost the counties in the State $76,950, in addition to what would be drawn from the State Treasury.

DESIRABLE LEGISLATION.

Believing this General Assembly desires to promote the best interest of the people, I trust you will act upon the following suggestions: Do what little legislation there may be and adjourn *sine die;* stop present political agitations by presenting no questions to be voted upon until the general election of 1872; let the people become familiar with laws before they are changed; prepare the way, by submitting a constitutional amendment, for sessions of the Legislature not to exceed ninety days in duration, and for but one session in four years; then present, of necessity, a constitutional amendment making the official term for State officers four years, as formerly; at the same time provide that the Governor, after the general election of 1874, shall be ineligible a second term to the same office, thus guarding the office from prostitution to ambition, by preventing the incumbent from making appointments to office more with a view to his own political preferment than to the good of the State.

PENITENTIARY.

Intimately connected with the subject of finance, is that of the penitentiary.

Until the walls shall have been extended so as to enlarge the prison yard, to admit of additional workshops for the employment, by contractors, of a larger proportion of convicts; the question cannot be, is this institution an expense? but, what is the expense? In my last message I stated $56,669.77 to be the amount of expenses above profits for the fiscal year ending 6th of December, 1869, and that that amount, when compared with the expenses of 1868, made a difference in favor of 1869 of $18,586.18, with an average of thirty-two more convicts per day for the year. For detailed statements for that year and for 1870, I invite attention to the late biennial report of the factor, included in the report of the inspectors. It will be perceived that for 1870, the exhibit is very favorable to the character for economic management of the present officers, showing the excess of

expenses above profits to have been $49,166.93, which is $7,502.84 less than for 1869, while the average number of convicts per day has been 26¼ more. Unless there are more workshops, I do not believe there can be a more satisfactory financial exhibit.

Then, with sufficient workshops, under the present system of contracting the labor of the convicts, the prison can be self-sustaining with its present number of inmates.

The number of convicts on December 5, 1870, the close of the penitentiary fiscal year, was 797. The average number per day during 1870 was 760¼. The number employed by contractors was 239. With sufficient shop room, 600 of the present number might have been employed.

An appropriation was made, in February last, of $45,000, to be expended after that date. At the close of the last fiscal year, the institution owed $10,640.81, contracted mostly in October and November, and the available assets were $22,623.71.

Included in the amount named for expenditures are $4,410.39 for the new cell buildings, and $4,501.09 for the extension walls—permanent improvements—and $3,022.54 for repairs and other improvements.

Not taking in financial account 53,648 days' labor were performed by the convicts, and 1,201½ with mule and ox teams.

I urgently recommend that you entertain no proposition for changing the present system of contracting to that of leasing.

Without making any argument at this time, but referring to my last message, January, 1870, I repeat for your consideration, the following recommendations then made: That it be provided that there shall be nine inspectors for the prison, and that the Warden shall be the responsible head, and be nominated by the Governor and confirmed by the Senate, and hold his office during good behavior.

I invite scrutinizing inquiry into the affairs of this institution during the present administration. All unfaith-

ful officers, if any, should be exposed whenever and wherever known.

For further details with regard to the prison and suggestions, if any, by the prison officers, I invite your attention to the report of the Inspectors, including the reports of the Warden, Factor, Chaplain and Physician.

PARDONS.

As required by the Constitution, I herewith "communicate each case of reprieve, commutation and pardon granted" by me up to the 4th instant.

It will be perceived that four hundred and twenty-four convicts were pardoned under a law contemplating that, for good conduct, they should be discharged on the recommendation of the Inspectors, after having served three-fourths of their respective terms; that one hundred and twenty-one were pardoned prior to the expiration of three-fourths of their terms; but that in almost all such cases one-half, or more, of long terms had been served, and in many cases the pardons were after long confinement, to preserve life or health; also that there have been ten respites and one commutation of punishment granted. I invited attention to the reasons and conditions in these cases.

ASYLUMS.

These institutions for the relief of suffering humanity will, of course, receive due consideration and all needed appropriations will be made.

As the annual expenditures connected with them are by no means insignificant in amount, I trust you will scrutinize those expenditures and hold all officers to a strict accountability. I have no complaints to make.

EDUCATIONAL—PUBLIC SCHOOLS.

On the subject of Public Schools and Public School Fund, I am unable to present an accurate, condensed statement, from the fact that the Superintendent of Public

Schools has not received reports from forty-two county clerks and fourteen county superintendents. I therefore invite your attention to the Superintendent's report when it shall have appeared. It will, however, be seen that the requirement of the Constitution to "to establish and maintain Free Schools" has not been neglected.

As some evidence of the success of the system, a high school has been established and a school house built, within three years, in nearly every town in the State. In January, 1870, the Public School Fund was $1,617,362.67, and on January 1, 1871, $1,674,986.78.

Complaints have reached me that, in many instances, the power given under the law to School Directors has been too freely used, indeed abused, in making assessments for school purposes which are unnecessary and in many cases oppressive. I suggest that, in this regard, further legislation may be desirable.

AGRICULTURAL COLLEGE.

Since the adjournment of the last Legislature the "Agricultural College" has been permanently located at Columbia, Boone county.

NORMAL SCHOOLS.

After attempts during a period of thirty years, two Normal Schools have been established—one at Kirksville, Adair county, in the first district, and the other at Sedalia, Pettis county, in the second.

SCHOOL OF MINES.

Under an act approved 24th of February, 1870, a "School of Mines and Metallurgy" has been located at Rolla, Phelps county.

MINING BUREAU.

Under an act approved 24th of March, 1870, a Bureau of Mines, Metallurgy and Geology has been established

and a board of managers and a State Geologist appointed. A survey of the State has been commenced and, thus far, prosecuted energetically, as is more fully shown from the report of Professor Hager.

It thus appears that our means of education and intelligence are keeping pace with our enlarged freedom. In view of the declaration that "virtue is the hand-maid of intelligence," and of the increased facilities for acquiring and disseminating information useful and necessary for the development of our unsurpassed agricultural and mineral wealth, we can contemplate a grand future.

RESOURCES.

As upon the resources of our State, agricultural, mineral and other, I remarked somewhat at length in my last message, I will now let it suffice to do but little more than quote a few sentences on "minerals" from the late and first annual report of our State Geologist, Professor Albert D. Hager, which I will present to the Legislature as required by law.

I have no hesitation in expressing the belief that you will be gratified that the work of a geological and mineralogical survey of the State has been vigorously entered upon, which, with comparatively small expense, will induce capital and enterprise, in still enlarged degrees, to seek and develop our mines of wealth yet untouched.

Not permitted under the law, and not disposed, to give detailed information in advance of the report, I quote language only of a general application.

After alluding to the "remarkable and unequalled deposits" of iron at "Iron Mountain, Pilot Knob and Shepard Mountain," he says, "they are not the only ones," and "there are scores of iron hills composed almost exclusively of specular ore or red hematite" and "beds or carbonate of iron abound in the State." Of the production of iron, he says, "fifteen furnaces in operation in the State produce 133,000 tons of pig iron annually."

Of another ore, lead, he says, "in none of the mineral districts was I so agreeably disappointed as when examining the lead deposits of the State," and he gives almost 12,000,000 of pounds as the product, in this State, for 1870, up to the first of November, a period of ten months.

Under "zinc," he says, "I conclude that the State may become as noted for the production of zinc as for lead and iron."

From another reliable source I make the following statement: "That the increased capacity, in 1870, for the production of pig iron, of the furnaces at Carondelet, St. Louis and Scotia, in Crawford county, was 150 per centum, and at other iron works 50 per centum.

It is also expected that by March of this year a rail mill will be in operation at Carondelet, with a capacity to manufacture 60,000 tons of iron rails in twelve months. But it is utterly impossible, in the confined limits of a message, to give anything like an adequate idea of the astonishing increase of the capacity to produce iron and other manufacturies in our State.

PROTECTION AND FREE TRADE.

The iron furnaces alone of Carondelet and St. Louis gave employment to 500 hands, and will, after March next, to more than 1,000.

These, with their families, greatly increase the number of consumers of the products of farmers and of other manufacturers.

With a national policy founded on the first law of nature—self protection—our State will ere long be dotted over with thriving manufacturing communities interchanging benefits with the agriculturists; collectively producing chiefly what they consume, and, independent of the outside world, keeping at home the wealth they may derive from exports.

But whenever "free trade" doctrines, called by any and all delusive names, prevail, should they ever, then the life-blood of these prosperous communities will stagnate and

the whole country become infected as with a pestilence for want of employment; farmers' products, not of value equal to the cost of transportation, will molder on their hands; merchants will weep over unavailable debts; nature's lonely sound will supplant those of machinery; towns be deserted by beggared populations, and grass grow in former busy thoroughfares.

Then, if not before, the people will realize what are some of the laws of trade and of labor, and be prepared to say, at the ballot box, those laws shall no longer be violated.

But it should not be forgotten by those disposed to embark in enterprise so inviting as now presented by almost every stream and valley and hill, that the tariff and free trade questions are not now, as formerly, determined by party lines. The war aroused the minds of the people and they no longer blindly follow leaders, but think for themselves on all subjects.

Protectionists and free traders are not confined to the ranks of either of the present National parties, and he is mistaken who may say that the late victory achieved in this State by the democratic party, was one of free trade. Free trade was no more the question than the abolishment of the Sabbath. One would prevail about as readily as the other.

The people require no argument to convince them that a policy that strengthened all our material interests, sustained our National credit through a protracted internal war, and redeemed our National currency at its close and gave general prosperity, could not be a weak policy in time of peace.

INDUCEMENTS TO CAPITAL.

When we furthermore consider the geographical position of our State, that it is central; view our majestic rivers and our railroads, connecting links in the great chain from Ocean to Ocean, and between the old and new worlds; contemplate our own population increasing one hundred thousand each year, and new States forming west of us with populations ready to take our surplus manufactures, it

is impossible to estimate the inducements to capital and enterprise to share in the rewards that are offered by the profuse hand of nature's God.

EXECUTIVE MANSION.

While not losing sight of the necessity for economy in expenditures, I recommend the erection of a new mansion for the Governor. An appropriation of a sufficient amount for building (under contract and not by the State with convict labor) and properly furnishing it, should not be considered extravagant. The present mansion is antiquated, dilapidated and uncomfortable; unsuited to the age and inadequate to the reasonable requirements of the public.

REDISTRICTING THE STATE.

It will devolve upon the present General Assembly to redistrict the State for State Senatorial purposes, and should our national Congress determine in time the ratio of representation in Congress, form new Congressional districts.

UNITED STATES SENATOR.

United States Senator, Hon. Charles D. Drake, having resigned, it will be incumbent on you to go into joint session on Tuesday, the 17th inst., for the purpose of electing a successor for the remainder of the term to expire on the 4th day of March, 1873.

ADJUTANT GENERAL'S OFFICE.

I call your attention to the report of the Adjutant General, and to his recommendations. The moneys he received from his predecessors have been turned over to the State Treasurer, as the law required, and disbursements, are only made through the Auditor.

I trust that the affairs of this office, as well as of all others, will be investigated.

IMMIGRATION.

I herewith transmit, as an accompanying document, a letter from the Secretary of the "National Immigration Convention," with a copy of the preamble and resolutions adopted by that Convention at Indianapolis, Indiana, and request your careful consideration of the same.

TREASURER'S BONDS.

At the suggestion of the committee who have lately investigated the accounts in various offices, I recommend an increase in the amount of the bond required from the State Treasurer. The increased wealth of the State readily suggests the propriety of this.

BUREAU OF STATISTICS.

I recommend that a Bureau of Statistics be created. Its importance will not be questioned. At present there is no officer whose duty it is to collect and preserve valuable information for present and future reference, and to whom it is the duty of others to report. Such a bureau might be connected with the State Auditor's office at an expense of three thousand dollars per annum.

TAX ON RAILROADS.

I earnestly renew my recommendation of January, 1870: that the laws taxing railroads be revised and made uniform, and that all roads not clearly relieved by past legislation be taxed.

MORAL QUESTIONS.

But while legislators are considering interests which are strictly material, they should not ignore moral questions and influences, and especially those that effect the material welfare of every community.

Thousands of citizens have been placed, but recently, in a condition of freedom, and are directly out of slavery,

enjoying equal rights. The transition is sudden, and to many bewildering.

Also thousands of foreigners are annually added to our population, who have come among us to exchange homes of oppression for homes of freedom. The genius of our institutions is not to be understood by the masses of such in a day or in a year, and, therefore, these classes readily fall in with a sentiment altogether too prevalent: that freedom means unrestrained personal liberty—the unchecked gratification of personal desires. This sentiment is even indulged by many of the more intelligent and designing. It should be restricted, and the truths should, in every possible way, be inculcated: that in communities individual privileges are curtailed for the general good, and that the right is conceded for the whole to make restraining laws to advance both individual and the general welfare.

INTEMPERANCE.

This sentiment in favor of unrestricted freedom, while dangerous to our institutions in various respects, is perhaps in nothing else so apparent as in the workings of that licensed liberty that permits the sale of poisons, designated in our statutes by the name of "spirituous liquors," and leads thousands annually to material ruin and untimely death. Intemperance is slaying its victims in equal degree with the sword. The process is not so speedy, but sure.

Can you legislate against this evil? There is nothing wanting if there exist the proper disposition. The legal right cannot be disputed, as laws already exist intended to restrain, but so framed as to deter prosecutors.

We are justified by the law in preventing, by force the suicide from applying the razor to his own throat, or from administering to himself a speedy poison; and punishment is prescribed for administering quick poison to another, and he who prevents such crime is protected.

The principle is the same, whether applied to a speedy or slow poison. Lives are as precious if taken away by the process of a month or a year as if by that of a day.

It will not be denied that spirituous liquors are poisonous and deprive of life. Why not, then, as we would restrain suicides and murderers, also restrain the manufacturers and importers of, and dealers in slow poisons—"spirituous liquors"—who, by their daily business, not only take life, but dissipate fortunes, beggar wives and children and entail debts, through poor houses, jails and penitentiaries, upon towns, cities, counties and State and disease on other generations, and give to communities social disorder and moral degradation?

I will not give statistics. They are definite, convincing and alarming.

It devolves on you, as statesmen, to consult the best interests of the people, and instead of being accessories to crimes through legislation, to elevate humanity and bless your country, to enrich and not impoverish, to save life and not destroy. Adopt the word "progress," but let it not be to ruin. Let it be true moral progress leading at least to material blessings. Put an end to the licensed sale of poisons. Stop the flood gates of intemperance and save the land from desolation.

Knowing your duties, fearlessly discharge them for the best interests of the many, as wise legislators accountable to your country and to your God.

CONCLUSION.

May the all-wise Ruler of Nations, "who doeth all things well," direct you in all your deliberations.

J. W. McCLURG.

EXECUTIVE MANSION, January 6th, 1871.

VETO MESSAGES

TO THE SENATE

FEBRUARY 10, 1869

From the Journal of the Senate, p. 249

EXECUTIVE MANSION, JEFFERSON CITY, MO., February 10, 1869.

To the President of the Senate:

Sir—I have the honor to state that a Senate bill entitled "an act in relation to the salaries of the judges of the Supreme Court, and the compensation of certain clerks, and repealing section twenty of chapter seven of the General Statutes of 1865," is herewith returned with objections.

Very respectfully,

J. W. MCCLURG.

TO THE SENATE

FEBRUARY 10, 1869

From the Journal of the Senate, pp. 250-252

EXECUTIVE MANSION, JEFFERSON CITY, MO., February 10, 1869.

To the Senate of the State of Missouri:

I am compelled by a sense of duty to return to the Senate, the House in which it originated, a bill entitled "an act in relation to the salaries of the judges of the supreme court, and the compensation of certain clerks, and repealing section twenty of chapter seven of the general statutes of 1865," with my objections, to which I most respectfully invite your attention.

I shall designedly avoid all expression of opinion as to the merits of the several distinct provisions of the bill and confine my remarks to what is clear to my mind, its unconstitutionality.

The thirty-second section of the fourth article of the Constitution is as follows: "No law enacted by the General Assembly shall relate to more than one subject, and that shall be expressed in the title; but if any subject embraced in an act be not expressed in the title, such act shall be void only as to so much thereof as is not so expressed."

In this bill the violation of the section of the Constitution just quoted is so apparent that an argument is made with difficulty.

"No law shall relate to more than one subject." This bill by its title is in relation to the salaries of the judges of the supreme court, which is evidently one subject, a proposition, as seen by reading the bill, to increase such salaries; and it is more than this, for the conjunction "and" is used to connect with it another subject "the compensation of certain clerks," an entirely separate and distinct proposition; the last giving, as shown by the bill, a per diem compensation to certain clerks in lieu of present fees, and being a reduction in their pay, while the first is an increase of annual salaries.

But the bill in its title relates to still more, and the conjunction "and" is used a second time and introduces another distinct proposition, "repealing section twenty of chapter seven of the general statutes of 1865," which relates to the compensation of the Secretary of State for copying the laws or journals for the press.

The first proposition or subject relates to salaries of the highest officers in the judicial department of the government; the second proposition relates to the compensation of clerks connected with the legislative department, and the third proposition relates to certain fees of an officer of the executive department.

If one subject will embrace these three propositions, I am at a loss to know what that subject is.

Should it be said that all relate to the pay of officers of the government and that if the bill were entitled "an act in relation to pay of officers of the government" the objection would be removed, I have to say that such is not

the title of the present bill, and the Constitution says not only that "no law shall relate to more than one subject," but also, that "that" one subject "shall be expressed in the title." If "the pay of officers of the government" be the subject of the present bill, it is not expressed in the title.

The part of the title "repealing section twenty of chapter seven" does not even indicate, much less express, that salaries of supreme judges are to be increased. The part "in relation to the salaries of the judges of the supreme court" does not indicate, and certainly does not express that a section of law with regard to the fees of an officer in another department is to be repealed, and neither of those parts of the title expresses that the compensation of officers of the two Houses in yet a third department of the government is to be changed.

The "one subject * * * shall be expressed in the title." It shall be clearly declared. In this bill it is not so expressed.

The object of the clause of the Constitution above quoted is undoubtedly to prevent that injurious legislation that frequently occurs in the haste incident to adjournments and by the passage of what are called "omnibus bills" which sometimes disguise, in their titles, their essential features.

In the bill under consideration it is not difficult to see how easily the object some legislators may have had in voting for the bill, could be defeated. Retrenchment was no doubt the object of some.

The latter clause of the section of the Constitution referred to reads thus: "But if any subject embraced in an act be not expressed in the title, such act shall be void only as to so much thereof as is not so expressed." A glance at the title of the bill will suggest that it might be decided that the subject of the "salaries of the judges of the supreme court" is one subject and expressed in the title and therefore not void, and that the act shall be void as to the compensation of clerks and as to the repeal of the section relating to the fees of the Secretary of State. In such case the only change in the present laws would be,

under the bill, an increase of the salaries of the supreme judges. Or, under a different decision, the salaries of supreme judges would remain as at present and there would be a reduction in the pay of another or others of the officers of the government.

In either case, no doubt the object of members of the General Assembly who voted for the bill would be defeated.

Suggesting that each separate proposition should depend upon its own merits, and that we cannot too carefully avoid even an apparent infraction of the Constitution,

I am, with great respect,

J. W. McCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1870

From the Journal of the House of Representatives, p. 283

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 26, 1870.

To the Speaker of the House of Representatives:

Sir—In compliance with a known requirement of the Constitution, I return with objections, to the House of Representatives, House bill entitled "an act to repeal the first section of an act entitled an act to repeal the second section of an act entitled an act to incorporate the town of New Franklin, approved January 10, 1833, approved February 8, 1839, approved February 24, 1853."

An examination of the bill and various acts therein referred to, discloses the facts, that the object is to repeal the first section of the act referred to, that the repeal of that section would revive the second section of the original act of 1833, and thereby revive the powers of a certain board of trustees for the use of certain funds for the construction of a macadamized road, while the object of this bill is to give those same powers to a special commissioner, that the character of the road is changed from that of a "plank road"

to that of "macadamized," by the mere repeal of a section of a former act, and that a conflict would necessarily arise in the courts between said commissioner and board of trustees, were this bill to become a law.

These objections lead directly to the inquiry: Does that perspicuity attach to this bill which is contemplated by the Constitution?

A portion of the 25th section of the 4th article of the Constitution reads as follows: "the act revived or re-enacted, or the act or part of act amended, shall be set forth and published at length as if it were an original act or provision."

In this case, the spirit, if not the letter, of this provision of the Constitution is so violated, that I deem it my duty to return the bill for consideration.

Respectfully,

J. W. McCLURG.

TO THE SENATE

FEBRUARY 18, 1870

From the Journal of the Senate, pp. 336-337

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 18, 1870.

To the President of the Senate:

Sir—I herewith respectfully return, with objections, Senate bill entitled "an act to amend section seven of chapter thirty-six of the General Statutes, in relation to county buildings and the removal of seats of justice."

It is in violation of the spirit, if not the letter, of the thirtieth section of the fourth article of the Constitution, and would unquestionably lead to an improper interference with rights already vested under existing laws.

That section reads: "The General Assembly shall have no power to remove the county seat of any county unless two-thirds of the qualified voters of the county, at a general election, shall vote in favor of such removal."

While a town or city by name might remain a county seat, there being in one sense no removal of the county seat to another city or town, still there might, if this proposed amendment were a law, be a virtual removal of the county seat by the removal of county buildings and the county records to a point so distant from the established seat of justice, although within the extended corporate limits, as to materially change the value of real estate, and depreciate that purchased in good faith, and thus interfere with rights vested under former laws.

When a county has been established, commissioners have, under existing law (chapter 35, Statutes of 1865), selected a seat of justice for such county. They have purchased, or received as a donation, "such parcels of land and town lots, including the place selected as a seat of justice, not exceeding one hundred and sixty acres if purchased, and not less than fifty acres in any case," (see section 6, chapter 35,) and "the place selected" (see section 8) "shall be the permanent seat of justice." In pursuance of same law, lots and squares of ground have been reserved from sale for county buildings, and others offered for sale. Purchasers have been influenced, in view of business and convenience, by the law declaring—section eight: "The place selected shall be the permanent seat of justice," and with but one contingency in law for the removal, namely: the constitutional provision referred to that two-thirds of the qualified voters shall favor it.

If this bill were to become a law, county courts could, and under improper influences or motives, would most probably disregard the rights of those who have been, as stated, induced to purchase, and, assuming the power, would remove buildings and records after corporate limits shall have been extended, and as effectually depreciate the property of one and appreciate that of another, as if the removal were for a distance of miles. Vexatious questions would arise disturbing to communities and expensive to the people.

I therefore recommend a strict adherence to the thirtieth section of the fourth article of the Constitution, which requires the approval expressed at the ballot-box by a majority of voters.

Again, the twenty-fifth section of article four of the Constitution, reads: "the act or part of act amended, shall be set forth and published at length, as if it were an original act or provision." This bill purports to amend section seven of chapter thirty-six, without any change in that section, the following words are added: "provided, that the words 'established seats of justice,' as used in this and the preceding chapter, shall be construed to mean the corporate limits of the town or city known as the county seat of any county in this State."

If this can be construed to be an amendment to chapter thirty-six "in relation to county buildings and the removal of seats of justice." I suggest that it cannot be an amendment to the thirty-fifth chapter, being another act upon another subject, that of "the organization of counties," and which act this bill attempts to amend.

But whether this position be correct or not, there can be no question that, if this bill were to become a law it would encourage an interference with vested rights without regard to a constitutional provision.

Asking further consideration on the part of your honorable body,

I am respectfully,
J. W. McCLURG.

TO THE SENATE

FEBRUARY 23, 1870

From the Journal of the Senate, p. 368

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 23, 1870.

To the Honorable the President of the Senate:

Dear Sir—I have the honor to herewith return Senate bill entitled,

An act amendatory of an act entitled an act to amend an act entitled an act to establish courts of probate in the counties of Ralls, Jasper, Livingston, Barton, Lawrence, Wright, Nodaway, Chariton, Mississippi, New Madrid, Pemiscot, Christian, Johnson, Buchanan, DeKalb, Butler, Howell, Stoddard, Webster, Sullivan, Warren, Linn, Phelps, Carter, Grundy, Scott and Oregon, define their jurisdiction and provide for the election of judges of probate, approved March 19, 1866;

In compliance with a resolution of your honorable body, this day adopted.

Respectfully,
J. W. McClurg.

TO THE SENATE

March 24, 1870

From the Journal of the Senate, p. 421

State of Missouri, Executive Department, City of Jefferson, March 24, 1870.

To the President of the Senate:

Sir—I have the honor to return herewith to the Senate, in compliance with Senate resolution adopted this day,

House bill No. 79, entitled,

An act to amend an act entitled an act to incorporate the inhabitants of the City of Jefferson, approved February 12, 1839, and the several acts amendatory thereto.

Very respectfully,
J. W. McClurg.

SPECIAL MESSAGES

TO THE HOUSE OF REPRESENTATIVES

JANUARY 13, 1869

From the Journal of the House of Representatives, p. 135

To the Speaker of the House of Representatives:

Sir—I herewith transmit the report of General Samuel P. Simpson, Adjutant General, Acting Quartermaster General, and Acting Paymaster General of Missouri, for the years 1867 and 1868.

Respectfully,

J. W. MCCLURG.

TO THE SENATE

JANUARY 21, 1869

From the Journal of Executive Business, p. 101

JEFFERSON CITY, MISSOURI, January 21, 1869.

President of the Senate:

Sir—Permit me, if you please to withdraw the appointments of Police Commissioners for the City of Saint Louis made on the 18" inst.

Very respectfully,

J. W. MCCLURG.

TO THE SENATE

JANUARY 26, 1869

From the Journal of the Senate, pp. 148-149

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 26, 1869.

To the President of the Senate:

Sir—I have the honor to state that in order to comply with a resolution of your honorable body of the 21st inst., requesting information as to the "number of clerks and other employees that have been serving in the offices of the Adjutant General, Quartermaster General and Paymaster General, since the first of April, 1868, the names of such persons, by whom and upon what authority employed, and amount of salary or per diem paid each, with a statement of the necessity of the service of each." I sent to Adjutant General Sam. P. Simpson, who is, under the law, also acting Quartermaster General and acting Paymaster General, a request for information, and I herewith inclose his reply for your consideration.

That reply discloses the fact that four persons have been employed towit:

1st. S. Harry Wright, as clerk, by the Adjutant General, by authority of the act of March 25, 1868, at a salary of $1,500 per annum, the necessity of which service is admitted by the framers of the law.

2d. Moses Burt, as clerk, without authority of law, at $75 per month, to facilitate work in the Quartermaster's department as stated by the Adjutant General.

3d. Charles Schaekel, as military storekeeper, without authority of law, at $66.66 per month, to take charge of public property according to the statement of the Adjutant General.

4th. John Watts, colored, as porter, watchman, guard and without direct authority of law, but in pursuance of custom, by the Adjutant General, at $45 per month.

The act of March 25, 1868, says distinctly that "in time of peace the Adjutant General shall be allowed, when acting as Quartermaster General and Paymaster General, for all three offices, one clerk, and no more, at a salary of $1,500 per annum, etc."

The employment of Moses Burt, clerk, is a direct, positive violation of this law. It does not become me to palliate such a violation. It may have been deemed best for the interests of the State, by the Adjutant General, to have employed such additional help; but there is nothing to justify an official in substituting his opinion for a plainly expressed law. If the public interests suffer in consequence of an illadvised law, they should continue to suffer rather than a greater public injury should be inflicted by the demoralization consequent upon the open disregard of law.

Although Charles Schaekel and John Watts were employed without direct authority of law, as they were not employed as clerks the violation of law is not so palpable as in the case of Moses Burt, and is the more excusable.

In complying with the resolution of the Senate, I have deemed it my duty to look beyond the communication from the Adjutant General above alluded to. The report of the Adjutant General, January 1st, 1869, to my predecessor, discloses the fact, on page seven, that William H. Judd and James F. Brooks have been employed in connection with the Quartermaster General's department, as a commission by a special order dated February 1st, 1868, under an act of February 15th, 1864.

As their duties were merely those of clerks, and connected with an office named in the act of March 25th, 1868, I consider their employment a violation of the spirit of that law.

Very respectfully,

J. W. McCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 29, 1869

From the Journal of the House of Representatives, p. 276

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 29, 1869.

To the Speaker of the House of Representatives:

Sir—I transmit herewith for the information of the General Assembly, the report of the Commissioners appointed by His Excellency, Governor Fletcher, to represent Missouri in the American Convention of Cattle Commissioners, held at Springfield, Illinois, in December last, to consider the nature and history of the disease among cattle known as the "Texas fever," and to recommend to the Legislatures of the several States such legislation as will prevent the spread of the disease.

Respectfully,

J. W. MCCLURG.

TO THE SENATE

FEBRUARY 1, 1869

From the Journal of Executive Business, pp. 102-103

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 1, 1869.

To the President of the Senate:

Sir—In compliance with Sections 1 and 31 of an act Entitled "an act to provide for the Registration of voters and to provide for the appointment of Judges of Elections by the Board of Registration" approved March 21, 1868, I have the Honor hereby to appoint the following Superintendants of Registration.

For St. Louis County, Edward Augustine.

Senatorial District No. 1, E. S. Needles.

Senatorial District No. 2, O. G. McDonald.

Senatorial District No. 3, Author Hurshall.
Senatorial District No. 4, D. L. Kost.
Senatorial District No. 5, William C. Wood.
Senatorial District No. 6, Albert Griffin.
Senatorial District No. 7, A. F. Denny.
Senatorial District No. 8, James Marquess.
Senatorial District No. 9, John W. Gamble.
Senatorial District No. 10, Wm. H. Maertens.
Senatorial District No. 11, Joseph W. Craig.
Senatorial District No. 12, Robert Cunningham.
Senatorial District No. 13, P. D. Popeno.
Senatorial District No. 14, John D. Myers.
Senatorial District No. 15, Henry Berry.
Senatorial District No. 16, James M. White.
Senatorial District No. 17, Richard Retteo.
Senatorial District No. 18, John V. Hargrove.
Senatorial District No. 19, James Abbott.
Senatorial District No. 20, A. F. Lewis.
Senatorial District No. 21, Thomas F. Clary.
Senatorial District No. 22, Jessee Huffman.
Senatorial District No. 23, Rufus Alexander.
Senatorial District No. 24, John P. Hayden.
Senatorial District No. 25, William M. Newman.
Senatorial District No. 26, Charles F. Bruishe.
Senatorial District No. 27, Marshall W. Johnson.
Senatorial District No. 28, Andrew P. McKee.

Requesting that the consent of the Senate will be given to said appointments, I am,

Respectfully,

J. W. McCLURG.

TO THE SENATE

FEBRUARY 2, 1869

From the Journal of Executive Business pp. 103-104

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 2, 1869.

The President of the Senate:

Sir—In pursuance of Law to wit "an act creating a Board of Police Commissioners and authorizing the appointment of a Police force for the City of St. Louis, it becomes my duty to appoint, by and with the advice and consent of the Senate, two commissioners for said Board. The term of office of Hon. Ferdenard Meyer and John O. Codding, Esqs., having Expired

I take pleasure in appointing the Hon. Ferderand Meyer, and the Hon. Samuel Bonner, and respectfully ask the consent of the Senate.

Very respectfully,
J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1869

From the Journal of the House of Representatives, pp. 427-428

EXECUTIVE DEPARTMENT, JEFFERSON CITY, February 18, 1869.

Hon. John C. Orrick, Speaker of the House of Representatives:

Sir—In compliance with a resolution of the House of Representatives of the last General Assembly, dated March 25, 1868, that the Governor open a correspondence with eminent American artists to ascertain what would be the best model for a life-size statue of Col. Benton, suitable to be placed in the rotunda of the State capitol, and the entire cost of such a work of art, and the time within which it could be executed and delivered. His Excellency, Governor Fletcher, caused copies of the resolution to be forwarded to various American artists.

Herewith I have the honor to transmit for the information of the House of Representatives such correspondence in relation to the subject as I find on file in the executive office.

Respectfully,

J. W. McCLURG.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 19, 1869

From the Journal of the House of Representatives, pp. 451-452

EXECUTIVE MANSION, JEFFERSON CITY, February 19, 1869.

To the Speaker of the House of Representatives:

Sir—A sense of humanity compels me to present the following facts: A deranged white woman, calling herself Sarah Griffin, who came into the lines of our army near Fort Cobb, has been sent to this city by Major General Sheridan, with a request that she be received into the Insane Asylum.

The Governor has no authority under the law for placing her there. Patients are received when sent by individuals or by the county courts of the counties in the State, under prescribed rules. I am informed that the officer who had her in charge left her in this city and returned to his command. She is entirely destitute and helpless. As she is not a citizen of Cole county, it is unjust to impose upon the county the expense of providing for her at the Asylum or elsewhere.

I, therefore, recommend that such legislation be had as will authorize Sarah Griffin to be received into the Asylum and provided for at the expense of the State.

I herewith transmit General Sheridan's letter informing me of the circumstances attending the case.

Respectfully,

J. W. McCLURG.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 20, 1869

From the Journal of the House of Representatives, p. 467

Hon. J. C. Orrick, Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith, the report of the Board of Immigration of the State of Missouri, for the year 1869.

Respectfully,
J. W. MCCLURG.

TO THE SENATE

MARCH 3, 1869

From the Journal of Executive Business, pp. 105-106

EXECUTIVE MANSION, JEFFERSON CITY, MISSOURI, March 3, 1869.

To the Senate of the State of Missouri:

In compliance with the act of the General Assembly of February 12, 1868, and section one of chapter 56 and section one of chapter 57, and section one of chapter 58, General Statutes of Missouri, I have the honor to nominate the following persons for the offices set opposite their names, and to request the consent of the Senate to their appointment, viz.:

For Curators of the State University

3d Congressional District—

James H. Kern, vice James Lindsay.

Office vacant by reason of non-attendance—Term to expire April, 1857.

4th District

John W. Matthias, four years from April, 1868.

Orville S. Reid, four years from April, 1868.

5th District

Wm. H. McLane—4 years from April, 1868.

Jas. H. Baker, 4 years from April, 1868.

6th District

W. W. Orrick, 4 years from April, 1868.
Theo. S. Case, 4 years from April, 1868.

Boone County:

Jas. S. Rollins, 4 years from April, 1868.
Rob't. L. Todd, 4 years from April, 1869.

Trustee of the Missouri Institution for the Education of the Blind.

James E. Yeatman to serve 4 years from 23 March 1869.
George Patridge to serve 4 years from 23 March 1869.
Dr. Samuel Pollack to serve 4 years from 23 March 1869.
Timothy B. Edgar to serve 4 years from 23 March 1869.

Managers of the State Lunatic Asylum,

Dr. Charles W. Stephens to serve 4 years from 4 March 1869.
Stephens D. Borlon to serve 4 years from 4 March 1869.
Dr. Jas. M. Mortien to serve 4 years from 4 March 1869.
John W. Gamble to serve 4 years from 4 March 1869.
Dr. Wesley Humphreys to serve 4 years from 4 March 1869.
John P. Clark to serve 4 years from 4 March 1869.
Hiram Cornell to serve 4 years from 4 March 1869.
William H. Thomas to serve 4 years from 4 March 1869.
Harvey Newsom to serve 4 years from 4 March 1869.

Commissioners of the Deaf and Dumb Asylum,

Thos. B. Nesbit to serve 4 years from 4th March 1869.
Daniel Nally to serve 4 years from 4th March 1869.
John W. Gamble to serve 4 years from 4th March 1869.
Harvey Newsom to serve 4 years from 4th March 1869.
Dr. Adams Peabody to serve 4 years from 4th March 1869.

I am,

Respectfully,

J. W. McClurg.

TO THE SENATE

JANUARY 5, 1870

From the Journal of the Senate, p. 33

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 5, 1870.

To the President of the Senate:

Sir—I have the honor to transmit, herewith, for the action of the General Assembly, a duly attested copy of a Resolution of Congress, proposing to the Legislatures of the several States a Fifteenth Article to the Constitution of the United States, received by me on the 8th day of March, 1869.

Respectfully,

J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1870

From the Journal of the House of Representatives, p. 73

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 10, 1870.

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit, herewith, a communication from the Hon. H. A. Clover, of St. Louis, in reference to the payment of his fee as counsel on behalf of the State, in certain cases now pending in Supreme Court of the United States.

The consideration of the matter by the Legislature, is respectfully requested.

Respectfully,

J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1870

From the Journal of the House of Representatives, p. 73

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 10, 1870

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith a communication from the Secretary of War of the United States, requesting the assent of the Legislature to the purchase of land already made by the United States for the purpose of a national cemetery at Jefferson City and at Springfield, Missouri, and the cession of exclusive jurisdiction over the same, as provided for in the Constitution of the United States.

I respectfully invite attention to the recommendation in my message in relation to the subject.

Respectfully,

J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1870

From the Journal of the House of Representatives, pp. 73-74

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 10, 1870.

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit, herewith, without recommendation, papers in relation to the following subjects alluded to in my message:

International exhibition, in 1871, at Washington City; Improvement of Fox and Wisconsin rivers; International Prison Association; claim of Messrs. White & Co.; claims for supplies, etc., during the "Price Raid" of 1864; appoint-

ment of immigration agents; memorial on the subject of the harbor of Mobile.

Respectfully,

J. W. McCLURG.

TO THE SENATE

JANUARY 11, 1870

From the Journal of the Senate, p. 64

STATE OF MISSOURI EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 11, 1870.

To the President of the Senate:

Sir—I have the honor to transmit herewith the annual report of the Adjutant General, Acting Quartermaster General, Acting Paymaster General and Acting State Claim Agent of Missouri for the year 1869.

Respectfully,

J. W. McCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 17, 1870

From the Journal of the House of Representatives, pp 174-175

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 17, 1870.

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith the annual report of the Board of Immigration of the State of Missouri for the year 1869, by its Secretary, Hon. Isidor Bush.

Respectfully,

J. W. McCLURG.

TO THE SENATE

JANUARY 20, 1870

From the Journal of Executive Business, p. 109

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 20, 1870.

Hon. E. O. Stanard, President of the Senate:

Sir—In obedience to the requirement of the second section of "an act to create an Insurance Department" approved March 4, 1869, I have the Honor to state that during the late vacation in the session of the Twenty-fifth General Assembly, I appointed Wyllys King of the City of St. Louis, as such Superintendent and trust that the consent of the Senate will not be considered in conflict with the interests of the State.

Very respectfully,

J. W. MCCLURG.

TO THE SENATE

FEBRUARY 8, 1870

From the Journal of Executive Business, pp. 109-110

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 8, 1870.

To the President of the Senate:

Sir—I have the honor to ask the advice and consent of the Senate to the appointment of Capt. Julius Hunicke as a member of the Board of Police Commissioners of the City of St. Louis to fill the vacancy caused by the resignation of Otto C. Landemann which has this day been accepted.

Respectfully,

J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1871

From the Journal of the House of Representatives, p. 21

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith the first annual report of the State Geologist and an account of the expenditures connected with the Mining Bureau, as required by the 11th section of the act approved March 24th, 1870.

Respectfully,

J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1871

From the Journal of the House of Representatives, p. 21

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 6, 1871.

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith the report of the Adjutant General, Acting Quartermaster General, Acting Paymaster General and Acting State Claim Agent for the year 1870.

Respectfully,

J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1871

From the Journal of the House of Representatives, p. 21

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 6, 1871.

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith the report of the Fund Commissioners for the year 1870.

Respectfully,

J. W. MCCLURG.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1871

From the Journal of the House of Representatives, p. 25

To the Speaker of the House of Representatives:

Sir—I have the honor to transmit herewith the Seventh Biennial Report of the Trustees and Superintendent of the Missouri Institution for the Education of the Blind.

Respectfully,

J. W. MCCLURG.

PROCLAMATIONS

ON RELINQUISHMENT OF LAND

JANUARY 18, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 42-44

To all to whom these presents shall come: Greeting: Know Ye. That:

WHEREAS under the provisions of the act of congress approved September 25th 1850, entitled "an act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits" the survey or General of the United States for the District of Missouri, reported to the commissioner of the General Land office the following described tracts pieces or parcels of land in the district of lands subject to sale at Springfield Missouri as enuring to said state under the law aforesaid to wit:

(Polk Co.)	S½	NE¼	Sec. 9	T 33	R 23
(Barton Co.)	Lot 1	SW¼	Sec. 31	T 31	R 32
S½	Lot 2	SW¼	Sec. 31	T 31	R 32
(Jasper Co.)	SE¼		Sec. 18	T 29	R 31
E½ of SW¼			Sec. 10	T 29	R 30
NW½ of SW¼			Sec. 10	T 29	R 30
N½ of SE¼			Sec. 3	T 29	R 29
NW¼ of NE¼			Sec. 10	T 29	R 29
NE¼ of NW¼			Sec. 10	T 29	R 29
(Cedar Co.)	NE¼	SW¼	Sec. 11	T 35	R 26
	SE¼	SE¼	Sec. 36	T 34	R 25

and WHEREAS the said tracts pieces or parcels of law hereinbefore described were entered at the aforesaid land office as follows to wit:

By Dexter C. Gunn on the 4th day of October 1854

(Polk Co.)	S½ of NE¼	Sec. 9	T 33	R 23

Not known by whom purchased

(Barton Co.) Lot 1 SW¼	Sec. 31	T 31	R 32
S½ Lot 2 SW¼	Sec. 31	T 31	R 32
By		on	
(Jasper Co.) SE¼	Sec. 18	T 29	R 31
E½ of SW¼	Sec. 10	T 29	R 30
NW¼ of SW¼	Sec. 10	T 29	R 30
W½ of SE¼	Sec. 3	T 29	R 29
NW¼ of NE¼	Sec. 10	T 29	R 29
NE¼ of NW¼	Sec. 10	T 29	R 29
By		on	
(Cedar Co.) NE¼ of SW¼	Sec. 11	T 35	R 26
SE¼ of SE¼	Sec. 36	T 34	R 25

And WHEREAS on the ..... day of ..... 18.... the aforesaid tracts pieces or parcels of land were approved to the state of Missouri by the Secretary of the Interior in list no ..... of swamp and overflowed lands in the aforesaid District, and

WHEREAS on the 26th day of March 1857 and 15th of May 1857, the said tracts were patented to the State of Missouri in patent Mo.—for said District as swamp and overflowed lands enuring to said State under said act of 1850: and

WHEREAS by an act of Congress approved March 2d, 1855 entitled "an act for the relief of purchases and locators of swamp and overflowed lands" it is directed "That the President of the United States cause patents to be issued as soon as practicable to the purchaser or purchasers locator or locaters who have made entries of the public lands claimed as swamp lands, either with cash or with land warrants or with scrip, prior to the issue of patents to the State or States as provided by the second section of the act approved September 28, 1850, entitled "An act to enable the State of Arkansas and other States to reclaim the swamp Land within their limits, any decision of the Secretary of the interior or other officer of the Government to the contrary notwithstanding," and

WHEREAS the provisions of the act of the 2nd of March 1855 last above recited have been continued in force and extended by the act of the 3d of March 1857, entitled "an act to confirm to the several states the swamp and overflowed lands selected under the act of Sept. 28, 1850 and the act of 2d of March, 1849 and"

WHEREAS in accordance with a statute of the State of Missouri, the County Courts of Polk Barton Jasper & Cedar Counties, Missouri, in which counties the lands hereinbefore described are situate have authorized the Governor to relinquish the title of the State in & to said lands:

NOW THEREFORE I Joseph W. McClurg, Governor of the State of Missouri by virtue of the authority in me vested, in consideration of the premises do hereby release and forever relinquish unto the United States of America all right, title, claim, or interest of any kind whatsoever of the said state of Missouri in and to the lands hereinbefore described, and every portion thereof acquired under or by virtue either of the aforesaid selections and approval or the patent heretofore issued, to the said State intending hereby to restore said lands back to the control of the United States as freely as if said approval had never been made or said patent issued.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of
(Seal) the State. Done at the City of Jefferson this 18th day of January in the year of our Lord 1869 of the independence of the United States the ninety third and of the State of Missouri the Forty ninth.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secty of State.

ON RELINQUISHMENT OF LAND

JANUARY 22, 1869

From the Register of Civil Proceedings. 1868-1874, pp. 45-47

To all to whom these presents shall come: Greeting:

WHEREAS, under the provisions of the act of congress approved Sept 28 1850, entitled "an act to enable the State of Arkansas and other States to reclaim the swamp and overflowed lands within their limits the Surveyor General of the United States reported to the commissioner of the General Land office the following described tracts, pieces, or parcels, of land in the District of lands subject to sale, at Plattsburg now Boonville and at Springfield Missouri as enuring to said State under the law aforesaid, towit:

(Holt Co)	S½ lots 1 & 2 of NW¼	Sec. 30	T 63	R 40
	lot 2 of SW¼	Sec. 30	T 63	R 40
Webster Co.	NE¼ of SE¼	Sec. 19	T 32	R 19
NE¼	NE¼	Sec. 30	T 32	R 19
NW¼	SE¼	Sec. 30	T 32	R 19
SW¼	NE¼	Sec. 30	T 32	R 19

And WHEREAS the said tracts pieces or parcels of land hereinbefore described were located at the aforesaid land offices as follows:

By Frederick Walter on the 15th of April 1853 per Military Bounty land Warrant No 59535 act 1847

(Holt Co) S½ Lots 1 & 2 NW¼		Sec. 30	T 63	R 40
lot 2 SW¼		Sec. 30	T 63	R 40

By Elias Powell on the 12th of July 1856.

(Webster Co) NE¼ SE¼		Sec. 19	T 32	R 19

James M. Johnston on the 15th December 1856.

NE¼	NE¼	Sec. 30	T 32	R 19

By William W. Reeves on the 15th December 1856

NW¼	SE¼	Sec. 30	T 32	R 19
SW¼	NE¼	Sec. 30	T 32	R 19

And WHEREAS on the 5th day of November 1866 and on the ..... day of ....., 18..... the aforesaid tracts pieces or parcels of land were approved to the State of Missouri by the Secretary of the Interior in lists No 3 of the Plattsburg district and list No ..... of the Springfield District,

And WHEREAS on the 5th day of December 1866 and on the 26th day of March 1857 the said tracts pieces or parcels of land were patented to the said State of Missouri in patents No 5 & 2 for said districts as swamp and overflowed lands enuring to said State under aforesaid act of 1850.

And WHEREAS by an act of congress approved March 2 1855 entitled "an act for the relief of purchasers and locaters of swamp and overflowed lands it is directed that the President of the United States cause patents to be issued as soon as practicable to the purchaser or purchasers locator or locators who have made entries of the "public lands claimed as swamp lands either with cash, or with land warrants or with scrip prior to the issue of patents to the State or States as provided for by the second section of the act approved September 28, 1850, entitled an act to enable the state of Arkansas and other States to reclaim the swamp lands within their limits any decision of the Secretary of the Interior or other officer of the Government to the contrary notwithstanding.

And WHEREAS the County courts of Webster and Holt Counties Missouri in which counties the lands hereinbefore described and situate have in accordance with a statute of the State of Missouri authorized the Governor to relinquish the title of the State to said lands.

NOW THEREFORE I Joseph W. McClurg Governor of the State of Missouri by virtue of the authority in me vested in consideration of the premises, and in order to enable the United States in compliance with the foregoing recited provisions of the said act of congress approved March 2d 1855 to issue patents to the parties who made the afore mentioned entries do hereby release and forever

relinquish unto the United States of America all right title claim or interest of any kind whatsover of the said State of Missouri in and to the lands hereinbefore described and any part and portion thereof acquired under or by virtue either of the aforesaid selection and approval or the patent heretofore issued to the said State intending hereby to restore these lands back to the control of the United States as fully as though said approval had never been made or said patent issued.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal (Seal) of the State of Missouri. Done at the City of Jefferson this 22d day of January A D 1869.

By the Governor: J. W. McClurg.
Francis Rodman, Secretary of State.

OFFERING A REWARD

February 2, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 49-50

Whereas on the night of the 11th day of December 1868 George F Lee broke from the Jail of Jackson County Missouri where he was confined under indictment for the murder of Henry M. Stonestreet and

Whereas the said George F. Lee has escaped from justice and is still at large.

Now Therefore I Joseph W. McClurg Governor of the State of Missouri by virtue of the authority in me vested by law, in consideration of the premises do offer a reward of Three hundred dollars for the arrest and delivery of the body of the fugitive aforesaid to the Sheriff of Jackson County Missouri

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the

(Seal) State of Missouri. Done at the City of Jefferson this 2d day of February A. D. 1869.

By the Governor: J. W. McClurg.
Francis Rodman, Secretary of State.
By Eugene F. Weigel, Chief Clerk.

Description of Fugitive.

George F Lee is about 28 years of age: about five feet eleven inches high, has dark hair, sandy whiskers, dark gray eyes, and weighs about 160 pounds.

OFFERING A REWARD

February 22, 1869

From the Register of Civil Proceedings, 1868-1874, p. 59

Whereas one Jacob Wolford was murdered in Iron County Missouri on the 26th day of August 1861 by John Quigley Joseph Quigley James Stout James McClurg Albert Nelson Wm Nelson and Green Clay and whereas the said John Quigley Joseph Quigley James Stout James McClurg Albert Nelson William Nelson and Green Clay have fled from justice and are still at large.

Now Therefore I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested by law, in consideration of the premises, do offer a reward of two hundred each for the apprehension and delivery of the bodies of the fugitives aforesaid to the Sheriffs of Iron County Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the
(Seal) State of Missouri. Done at the City of Jefferson this 22d day of February A. D. 1869.

By the Governor: J. W. McClurg.
Francis Rodman, Secretary of State.

OFFERING A REWARD

FEBRUARY 22, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 59-60

WHEREAS one Wm Kirk was murdered at Belmont Landing Mississippi County on the 25th day of December 1868 by Joshua Bryant and John J Lee: and

WHEREAS the said Joshua Bryant and John J Lee have fled from Justice and are still at large.

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested by law, in consideration of the premises, do offer a reward of two hundred dollars each for the arrest and delivery of the fugitives aforesaid to the Sheriff of Mississippi County Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the (Seal) State of Missouri. Done at the City of Jefferson this 22d of February A. D. 1869.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

FEBRUARY 23, 1869

From the Register of Civil Proceedings, 1868-1874, p. 60

WHEREAS John H Wood was murdered in Pulaski County Missouri on the 25th day of January 1869 by one Joel Morrison; and

WHEREAS the said Joel Morrison has fled from justice and is still at large.

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested by law, in consideration of the premises, do offer a reward of two hundred dollars for the apprehension and delivery

of the body of the fugitive aforesaid to the sheriff of Pulaski County Mo

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of (Seal) the State of Missouri. Done at the City of Jefferson this 23d day of February A. D. 1869.

By the Governor: J. W. McCLURG.

FRANCIS RODMAN, Secretary of State.

Description of Fugitive.

Joel Morrison is about 20 or 25 years old, has black hair and eyes, slender form, and is about 5 feet 8 inches in hight.

ON RELINQUISHMENT OF LAND

MARCH 20, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 67-70

To all to whom these presents shall come: Greeting:

WHEREAS, under the provisions of the act of Congress approved September 28 1850, entitled "an act to enable the State of Arkansas and other states to reclaim the swamp and overflowed lands within their limits" the Survey or General of the United States for the District of Missouri, upon evidence presented to him by the authorized agent of the State of Missouri reported to the commissioner of the General Land office, the following described tracts pieces or parcels of land in the District of lands subject to sale at Springfield Missouri, as enuring to said State, under the law aforesaid, to wit:

Barton Co.	W½ of SE¼	Sec. 8	T 33		R 29	W
	E½ of SW¼	Sec. 9	T 33		R 29	W
	NW¼ of SW¼	Sec. 9	T 33		R 29	W
Cedar Co.	W½ of lot 2 of NE¼	Sec. 1	T 33		R 29	W
Wright Co.	NW¼ NE¼	Sec. 1	T 8	F 30	R 13	W
	SW¼ NE¼	Sec. 1	T 29	F 30	R 12	W
	NW¼ NE¼	Sec. 1	T 17	F 31	R 15	W

S½ NE¼ Sec. 17 T 31 R 15 W SE¼ NW¼ Sec. 17 T 31 R 15 W

W½ NE¼ Sec. 9 T 30 R 14 W SE¼ NE¼ Sec. 9 T 30 R 14 W

W½ SE¼ Sec. 9 T 30 R 14 W NE¼ of SE¼ Sec. 9 T 30 R 14 W

NW¼ SW¼ Sec. 36 T 30 R 16 W W¼ SW¼ NW¼ Sec. 36 T 30 R 16 W

Polk Co.	W½	SE¼	Sec. 36	T 34	R 21	W
	SW¼	NW¼	Sec. 36	T 34	R 21	W
	S½	NW¼	Sec. 24	T 34	R 22	W
	NE¼	NW¼	Sec. 13	T 34	R 22	W
	SW¼	NW¼	Sec. 13	T 34	R 22	W
	N½	SW¼	Sec. 13	T 34	R 22	W
	SE¼	SE¼	Sec. 28	T 34	R 21	W
	NW¼	SE¼	Sec. 27	T 34	R 21	W
	NE¼	SW¼	Sec. 27	T 34	R 21	W
	N½ lot 1	SW fr. qr.	Sec. 30	T 33	R 22	W
	NW¼	NW¼	Sec. 20	T 33	R 22	W
	SW¼	NW¼	Sec. 20	T 33	R 22	W
	S½	SE¼	Sec. 30	T 33	R 22	W
	SW¼	NE¼	Sec. 30	T 33	R 22	W
	N½	SE¼	Sec. 30	T 33	R 22	W
	W½	NE¼	Sec. 36	T 34	R 21	W
	SW¼	SE¼	Sec. 21	T 34	R 21	W
	NW¼	NE¼	Sec. 28	T 34	R 21	W
	SW¼	NW¼	Sec. 27	T 34	R 21	W
	SW¼	SW¼	Sec. 23	T 34	R 22	W
	SE¼	SE¼	Sec. 22	T 34	R 22	W
	SE¼	SE¼	Sec. 6	T 34	R 21	
	NE¼	NE¼	Sec. 11	T 33	R 21	
	W½	NE¼	Sec. 14	T 34	R 22	
	SE¼	NE¼	Sec. 14	T 34	R 22	

And WHEREAS on the ..... day of ..... 18.. the said tracts pieces or parcels of land herein before described were located at the aforesaid land office as follows, to wit:

(Barton Co) W½ SE¼ Sec. 8 T 33 R 29
E½ SW¼ Sec. 9 T 33 R 29
NW¼ SW¼ Sec. 9 T 33 R 29
By Hedgeman Rookwood December 18th 1856.
(Cedar Co.) W½ Lot 2 NE¼ S 1 T 33 R 29
By ..... on .....
(Wright Co) NW¼ NE¼ Sec. 8 T 30 R 13.
By James A Tate on day of
SW¼ NE¼ Sec. 29 T 30 R 12.
By Benjamin Ellis November 11th 1865.
NW¼ NE¼ Sec. 17 T 31 R 15.
By Louisa Garrett November 29 1856.
S½ NE¼ Sec. 17 T 31 R 15.
SE¼ NW¼ Sec. 17 T 31 R 15.
By Louisa Garrett 15 December 1856.
W½ NE¼ Sec. 9 T 30 R 14.
SE¼ NE¼ Sec. 9 T 30 R 14.
W½ SE¼ Sec. 9 T 30 R 14.
NE¼ SE¼ Sec. 9 T 30 R 14.
By John H. West December 2 1856.
NW¼ SW¼ Sec. 36 T 30 R 16.
SW¼ NW¼ Sec. 36 T 30 R 16.
By Charles D Critcher August 2 1856.
(Polk Co) W½ SE¼ Sec. 36 T 34 R 21.
By Owen Jones October 20 1856
SW¼ NW¼ Sec. 36 T 34 R 21.
By Albert Voris October 19, 1855.
S½ NW¼ Sec. 24 T 34 R 22.
William Hale October 10th 1853.
NE¼ NW¼ Sec. 13 T 34 R 22.
Thomas Standley February 2 1857.
SW¼ NW¼ Sec. 13 T 34 R 22.
N½ SW¼ Sec. 13 T 34 R 22.
By Zoash French August 18th 1856.
SE¼ SE¼ Sec. 28 T 34 R 21.
By R L Drumwright Nov 2 1857.
NW¼ SE¼ Sec. 27 T 34 R 21.
NE¼ SW¼ Sec. 27 T 34 R 21.

By John W Ragsdale November 20th 1855, and December 16 1857.

N½ lot 1 SW fr. qr. S 30 T 33 R 22.

By Levi Price December 5 1855.

NW¼ NW¼ Sec. 20 T 33 R 22.

By Thomas Johnson April 7 1856.

SW¼ NW¼ Sec. 20 T 33 R 22.
S½ SE¼ Sec. 30 T 33 R 22.
SW¼ NE¼ Sec. 30 T 33 R 22.
N½ SE¼ Sec. 30 T 33 R 22.

Wm L Boon April 6 1855, April 15th 1856, and September 22 1856.

W½ NE¼ Sec. 36 T 34 R 21.

By Henry Voris January 11 1854.

SW¼ SE¼ Sec. 21 T 34 R 21.
NW¼ NE¼ Sec. 28 T 34 R 21.
SW¼ NW¼ Sec. 27 T 34 R 21.

By Joel Ragsdale August 20 1856.

SW¼ SW¼ Sec. 23 T 34 R 22.
SE¼ SE¼ Sec. 22 T 34 R 22.

Samuel Sherwood January 7 1856.

SE¼ SE¼ Sec. 6 T 34 R 21.

By John N. Warren March 31st 1856.

NE¼ NE¼ Sec. 11 T 33 R 21.

By John Askren December 18 1856.

W½ NE¼ Sec. 14 T 34 R 22.
SE¼ NE¼ Sec. 14 T 34 R 22.

By Jesse B Toler May 12 1856.

And WHEREAS on the day of 18 the aforesaid tracts pieces or parcels of land were approved to the State of Missouri by the Secretary of the Interior, in list No of swamp and overflowed lands in the district aforesaid and whereas on the day of 18 the said tracts pieces or parcels of land were patented to the said State of Missouri, in patent No for said District as swamp and overflowed land enuring to her under the aforesaid act of 1850.

And WHEREAS by an act of congress approved March 2 1855 entitled "an act for the relief of purchasers and

locators of swamp and overflowed lands" it is directed that the President of the United States, cause patents to be issued as soon as practicable to the purchaser or purchasers, locator or locators, who have made entries of the public lands claimed as swamp lands, either with cash or with land warrants or with scrip, prior to the issue of patents to the State or States as provided for by the second section of the act approved September 28, 1850. entitled "an act to enable the State of Arkansas and other states to reclaim the swamp lands within their limits" and decision of the Secretary of the interior or other officer of the Government of the United States to the contrary notwithstanding:

And WHEREAS in accordance with a statute of the State of Missouri. orders have issued from the County Courts of Barton Cedar Wright and Polk Counties, in which Counties, the lands hereinbefore described are situate authorizing the relinquishment of the title of the state in and to such lands:

Now THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested in consideration of the premises, and in order to enable the United States in compliance with the foregoing recited provisions of the said act of Congress, approved March 2d 1855, to issue patents to the parties who made the aforementioned entries, do hereby release and forever relinquish unto the United States of America, all right title claim or interest of any kind whatsoever of the said State of Missouri, in and to the land hereinbefore described, and any part and portion thereof acquired under or by virtue of either the aforesaid selection and approval or the patent heretofore issued, to the said State, intending hereby to restore these lands back to the control of the United States as fully as if said approval had never been made or said patent issued.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the

(Seal) State of Missouri. Done at the City of Jefferson this 20th day of March A. D. 1869.

By the Governor: J. W. McClurg.

Francis Rodman, Secretary of State.

By Eugene F. Weigel, Chief Clerk.

OFFERING A REWARD

March 23, 1869

From the Register of Civil Proceedings, 1868-1874, p. 72

Whereas John W Patterson on the 6th of March 1869 escaped from the Morgan County Jail where he was confined under indictment for the murder of James G Clark, and:

Whereas the said John W Patterson has fled from Justice and is still at large:

Now Therefore I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested by law for good and sufficient reasons appearing, do offer a reward of two hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Morgan County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the (Seal) State of Missouri. Done at the City of Jefferson this twenty third day of March A. D. 1869.

By the Governor: J. W. McClurg.

Francis Rodman, Secretary of State.

By Eugene F. Weigel, Chief Clerk.

Description of Fugitives.

John W Patterson is about 5 ft 8 inches in hight 24 years old, thick set, weighs 170 or 180 pounds: has dark hair, florid complexion, very little beard, pug nose and dark gray eyes, has a large scar on his head and is a rough looking man generally.

OFFERING A REWARD

APRIL 12, 1869

From the Register of Civil Proceedings, 1868-1874, p. 75

WHEREAS from evidence adduced before a coroners Jury it appears that Dr N D West was murdered in Howell County Missouri on the first day of March 1869 by Joseph Gladden and Azariah McKenzie and

WHEREAS the said Gladden and McKensie have fled from Justice and are still at large

NOW THEREFORE I Joseph W. McClurg Governor of the State of Missouri by virtue of the authority in me vested by law, for good and sufficient reasons appearing do offer a reward of two hundred dollars, each, for the apprehension and delivery of the bodies of the fugitives aforesaid to the Sheriff of Howell County Missouri

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of
(Seal) the State of Missouri. Done at the City of Jefferson this 12th day of April A. D. 1869.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secty of State.

Description of Fugitives.

Gladden is about Forty years of age, five feet ten inches high heavy set, has dark hair, dark eyes and dark complexion—McKensie is between 25 & 30 years of age, of medium size has red hair & whiskers with a white place in his whiskers about the chin.

OFFERING A REWARD

MAY 8, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 80-81

Charles Smith was murdered in New Madrid County on the 3d day of March 1869 by Isaac Eason and Samuel

Bell and WHEREAS the said Isaac Eason has fled from justice and is still at large,

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law in consideration of the premises do offer a reward of three hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the sheriff of New Madrid County Missouri

In Testimony Whereof I have hereunto set my (Seal) hand and affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this 8th day of May A D 1869.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secty of State.

By EUGENE F. WEIGEL, Chief Clerk.

Description of fugitive.

Isaac Eason is about 35 years of age about 5 feet 6 inches high, dark hair black eyes.

ON RELINQUISHMENT OF LAND

JUNE 14, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 89-91

To all to whom these presents shall come: Greeting:

Know Ye that WHEREAS under the provisions of the act of Congress, approved September 28 1850, entitled "an act to enable the State of Arkansas and other States to reclaim the swamp lands within their limits" the Surveyor General of the United States for the District of Missouri reported to the Commissioner of the General Land office the following described tracts pieces or parcels of land, subject to sale at Springfield Missouri, as enuring to the said State under the law aforesaid, to wit:

SW ¼	SE ¼	S 5	T 31	R 29
NE ¼	SE ¼	S 5	T 31	R 19

And WHEREAS the said tracts pieces or parcels of land hereinbefore described were entered at the aforesaid land office, as follows, to wit:

SW¼ SE¼ S 5 T 31 R 29

By John Blackburn 11th December 1856.

NE¼ SE¼ S 5 T 31 R 19

By Henderson W McNabb — 8th December 1856.

And WHEREAS the aforesaid tracts pieces or parcels of land were afterwards approved and patented to the State of Missouri as swamp and overflowed lands enuring to said State under said act of 1850.

And WHEREAS by an act of Congress approved March 2nd 1855 entitled "an act for the relief of purchasers and locators of swamp and overflowed lands" it is directed "that the President of the United States cause patents to be issued as soon as practicable to the purchaser or purchasers locator or locators who have made entries of the public lands claimed as swamp lands either with cash or with land warrants or with scrip, prior to the issue of patents to the State or States as provided for by the second section of an act approved September 28 1850, entitled "an act to enable the State of Arkansas and other states to reclaim the swamp lands within their limits "any decision of the Secretary of the Interior or other officer of the Government to the contrary notwithstanding."

And WHEREAS the provisions of the act of March 2 1855 last above recited have been continued in force and extended by the act of March 3 1857, entitled "an act to confirm to the several states the swamp and overflowed lands, selected under the act of Sept 28 1850 and the act of March 2 1849"

And WHEREAS in accordance with a statue of the State of Missouri the County Courts of Barton and Webster Counties of said state, in which Counties the lands hereinbefore described are situate, have authorized the Governor to relinquish the title of the state in and to the said lands.

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested

in consideration of the premises do hereby release and forever relinquish unto the United States of America all right, title claim or interest of any kind whatsoever of the said state of Missouri in and to the lands hereinbefore described and every portion thereof acquired under or by virtue either of the aforesaid selection and approval or the patent heretofore issued to the said states, intending hereby to restore said lands back to the control of the United States as fully as if said approval had never been made or said patent issued.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of
(Seal) the State of Missouri. Done at the City of Jefferson this 14th day of June A. D. 1869 of the independence the 93d and of the State of Missouri the 49th.

By the Governor: J. W. McCLURG.
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JUNE 15, 1869

From the Register of Civil Proceedings, 1868-1874, p. 92

WHEREAS it is represented that Robert Boltin murdered his wife in Christian County Missouri on or about the 20th of April 1869: and

WHEREAS the said Robert Boltin has fled from Justice and is still at large,

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law, in consideration of the premises, do offer a reward of three hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Christian County Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the (Seal) State of Missouri. Done at the City of Jefferson this 15th day of June A. D. 1869.

By the Governor: J. W. McCLURG.
FRANCIS RODMAN, Secty of State.

Description of Fugitive.

Robert Boltin is about 40 years old, about 5 ft 8 in. high weighs about 165 lbs. has very dark coarse hair, very dark complexion, very black eyes, has a very slouchy appearance.

ON A DAY OF THANKSGIVING

JUNE 26, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 94-95

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, June 26, 1869.

Desiring the usual and proper observance of the 4th day of July in commemoration of our National Independence, which day this year falls upon Sunday, and, as there is in our State no law providing for its observance on any other than the Calendar day, that in its observance bankers and others interested in the payment of "bonds, bills of exchange or promissory notes" may freely participate, such payments to be deemed due and demandable on the Saturday preceeding the day herein designated, and to bring said day clearly within our Statute law as per section 19 of Chapter 8 of Revised Statutes of 1865. I hereby recommend that Monday the *5th* be observed as the *4th* day of *July* next and I hereby appoint said *5th* as a day of public Thanksgiving. Let all Christian families if not in Public worship at least in their respective households, bow before Almighty God, who holds the destinies of Nations in His Hand, and thank Him for His abundant mercies and especially for the independence and freedom we enjoy.

Given under my hand and the Great Seal of the State at Jefferson City this twenty sixth day of
(Seal) June in the year of our Lord Eighteen hundred and sixty nine and of the Independence of the United States the ninety third.

By the Governor: J. W. McClurg.
Francis Rodaman, Secretary of State.
By Eugene F. Weigel, Chief Clerk.

OFFERING A REWARD

July 9, 1869

From the Register of Civil Proceedings, 1868-1874, p. 97

Whereas Zack Holmes George Stone and Dr John W Smith stand indicted in Dunklin County Missouri for the crime of murder in the first Degree: and

Whereas the said Homes Stone and Smith have fled from justice and are still at large.

Now Therefore I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law, in consideration of the premises, do offer a reward of Two Hundred Dollars for the apprehension and delivery of the body of each of the fugitives aforesaid to the Sheriff of Dunklin County Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal
(Seal) of the State of Missouri. Done at the City of Jefferson this 9th day of July A. D. 1869.

By the Governor: J. W. McClurg.
Francis Rodman, Secty of State.
By Eugene F. Weigel, Chief Clerk.

Description of Fugitives.

Zack Holmes is about twenty years of age 5 ft 8 in hight dark gray eyes, dark complexion, slender form, about 140 lbs in weight.

George Stone 25 years of age 5 ft 11 inches in hight light blue eyes, dark brown hair, light complexion high cheek bones, a little stoop shouldered gun shot wound in or near left elbow, about 170 lbs in weight; is a great drunkard, plays the violin.

Dr John W Smith is about 35 years old, 6 ft 1 or 2 in in hight, black eyes, black hair and whiskers, weighs 170 lbs. rather slender.

OFFERING A REWARD

JULY 12, 1869

From the Register of Civil Proceedings, 1868-1874, p. 98

WHEREAS one James Long on the 8th day of June 1869, shot and dangerously wounded F M Givens and his Wife in Pulaski County, Mo: and

WHEREAS the said James Long has fled from justice and is still at large:

NOW, THEREFORE I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of two hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Pulaski County Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (Seal) of the State of Missouri. Done at the City of Jefferson this twelfth day of July A. D. 1869.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secy of State.

By EUGENE F. WEIGEL, Chief Clerk.

Description of Fugitive.

James Long is about 28 years of age 5 feet 8 inches high dark hair blue eyes, rather heavy set, weighs about 165 lbs his right leg is shorter than the other, left toe turns in, limps considerably.

OFFERING A REWARD

JULY 31, 1869

From the Register of Civil Proceedings, 1868-1874, p. 101

WHEREAS H H Swasey was indicted in Stoddard County Missouri for murder for the killing of one John Bachelor on the 8th of August 1868, and

WHEREAS the case was removed on a change of venue from the Circuit Court of Stoddard County to the Circuit Court of Cape Girardeau, and

WHEREAS, the said Swasey has escaped from the custody of the Sheriff, and is now at large,

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law for good and sufficient reasons appearing, do offer a reward of Three Hundred dollars, for the apprehension and delivery of the fugitive aforesaid to the Sheriff of Cape Girardeau County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (Seal) of the State of Missouri. Done at the City of Jefferson this 31st day of July A. D. 1869.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

ON RELINQUISHMENT OF LAND

JULY 31, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 101-103

To all to whom these presents shall come: Greeting:

Know ye that WHEREAS under the provisions of the act of Congress, approved Sept 28th 1850 entitled "an act to enable the State of Arkansas and other States to reclaim the Swamp Lands within their limits." The Surveyor General of the United States for the District of Missouri,

reported to the Commissioner of the General Land office, the following described tracts pieces or parcels of Land in the district of lands subject to sale at Springfield Missouri, as enuring to said state under the law aforesaid, to wit:

(Polk Co.)	SE¼	NE¼	S 28	T 34	R 23
	SW¼	NW¼	S 27	T 34	R 23
	NE¼	NW¼	S 21	T 33	R 22
	S½ lots 1 & 2	NW¼	S 30	T 33	R 22
	W½	SE¼	S 33	T 34	R 22
	SW¼	SW¼ & NW¼	SW¼	S 2 T 32	R24
	NW¼	NE¼ & NE¼	NW¼	S 11 T33	R21
	SW¼	NE¼	S 11	T 33	R 21
(Laclede Co.)	SW¼	NW¼	S 35	T 34	R 16

And WHEREAS the aforesaid tracts pieces or parcels of land were entered at the aforesaid Land office as follows to wit:

By Hezekiah Wilkinson January 20 1857.

SE¼	NE¼	28	34	23
SW¼	NW¼ & NW¼	NW¼	27 34	23

By William Brown January 26 1857.

NE¼	NW¼	21	33	22

By R. B. Price July 1 1856.

S½ lots 1 & 2	NW¼	30	33	22

By Galaway S Peiter March 8 1856.

W½ of SE¼		33	34	22

By Wm R Miller December 13 1856.

SW¼	SW¼ & NW¼	SW¼	2 32	24

By Joseph Reynolds December 18 1856, and January 1856.

NW¼	NE¼ & NE¼	NW¼	11 33	21
SW¼	NE¼	11	33	21

By William A. Jenkins.

SW¼	NW¼	35	34	16

And WHEREAS subsequently to the aforesaid dates of entry the tracts, pieces, or parcels of land, hereinbefore described were approved and patented to the State of Missouri as swamp and overflowed lands, enuring to her under said act of 1850. And Whereas by an act of Congress approved

March 2, 1855, entitled "an act for the relief of purchasers and locators of swamp and overflowed lands" it is directed that the President of the United States cause patents to be issued as soon as practicable to the purchaser or purchasers locator or locators, who have made entries of the public lands claimed as swamp lands, either with cash, or with land warrants or with scrip, prior to the issue of Patents to the State or States, as provided for by the second section of the act approved Sept 28 1850, entitled "an act to enable the State of Arkansas and other States to reclaim the Swamp lands within their limits" any decision of the Secretary of the Interior or other officer of the Government of the United States to the contrary notwithstanding:"

And WHEREAS the provisions of the act of 2d of March 1855 last above recited have been continued in force and extended by the act of 3d of March 1857 entitled "an act to confirm to the several States the Swamp and overflowed lands, selected under the act of 2d of March 1849. And Whereas in accordance with a statute of the State of Missouri, the County Courts of Polk and Laclede Counties, in which Counties the lands hereinbefore described are situate, have authorized the Governor to relinquish the title of the State, in and to the said lands.

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested, in consideration of the premises do hereby release and forever relinquish unto the United States of America, all right, title, claim, and interest, of any kind whatsoever, of the said State of Missouri in and to the lands hereinbefore described and every portion thereof, acquired under or by virtue either of the aforesaid selection and approval or the patent heretofore issued to the said state, intending hereby to restore said lands back to the control of the United States, as fully as if said approval had never been made or said patent issued

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal

(Seal) of the State of Missouri. Done at the City of Jefferson this 31st day of July A. D. 1869.

By the Governor: J. W. McCLURG.
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

AUGUST 7, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 105-106

WHEREAS——Hart was murdered in Benton County Missouri on the 25th day of February 1809 by one Isaac Overton and

WHEREAS the said Isaac Overton has fled from justice and is still at large

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of Three Hundred Dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Benton County Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (Seal) of the State of Missouri. Done at the City of Jefferson this 7th day of August A. D. 1869.

By the Governor: J. W. McCLURG.
FRANCIS RODMAN, Secty of State.
EUGENE F. WEIGEL, Chief Clerk.

Description of Fugitive.

Isaac Overton is about 20 years of age, 5 feet 8 inches in hight, is stout and square built, has light hair and complexion.

OFFERING A REWARD

AUGUST 17, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 107-108

WHEREAS Thomas Spottswood on the 15th day of August 1869 escaped from the Jail of Pettis County Missouri where he was confined under indictment for murder in the first degree, and

WHEREAS the said Thomas Spottswood has escaped from justice and is still at large.

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law and for good and sufficient reasons appearing, do offer a reward of Two Hundred dollars for the apprehension and delivery of the fugitive aforesaid to the Sheriff of Pettis County Mo—

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (Seal) of the State of Missouri. Done at the City of Jefferson this Seventeenth day of August A. D. 1869.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secty of State.

Description of Fugitive.

Thomas Spottswood is about 24 years of age 5 ft 6 in high very stoutly built, weighs about 160 lbs has light complexion, light hair, is cross eyed in left eye.

ON RELINQUISHMENT OF LAND

SEPTEMBER 15, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 111-114

To all to whom these presents shall come: Greeting:

Know ye, That WHEREAS under the provisions of the Act of Congress approved September 28th 1850, entitled

"An act to enable the State of Arkansas and other States to reclaim the Swamp Lands within their limits" The Surveyor General of the United States for the District of Missouri reported to the Commissioner of the General Land Office the following described tracts, pieces or parcels of land in the District of lands subject to sale at Springfield Missouri, as enuring to the said State under the law aforesaid,—to wit:

(Polk County)	SW ¼	of SE ¼	Sect. 5	T. 34	R. 21
	SW ¼	of SW ¼	Sect. 5	T. 34	R. 21
	NW ¼	of NW ¼	Sect. 8	T. 34	R. 21
(Jasper County)	W ½	Lot 1 & E ½ Lot 2 NW			fr. ¼
			Sect. 5	T. 29	R. 33
	W ½ lot 2 & lot	3 NW ¼			
			Sect. 5	T. 29	R. 33
	Lot 4	of NW ¼	Sect. 5	T. 29	R. 33
	W ½	of SW ¼	Sect. 5	T. 29	R. 33
	NE ¼	of SW ¼	Sect. 5	T. 29	R. 33
	NW ¼	of SE ¼	Sect. 5	T. 29	R. 33
	SE ¼	of NW ¼	Sect. 9	T. 29	R. 33
	W ½	of NE ¼	Sect. 9	T. 29	R. 33
	N ½	of NW ¼	Sect. 9	T. 29	R. 33
	SE ¼	of NE ¼	Sect. 9	T. 29	R. 33
	NE ¼	of SW ¼	Sect. 9	T. 29	R. 33
	N ½	of SE ¼	Sect. 9	T. 29	R. 33
	S ½	of NE ¼	Sect. 11	T. 29	R. 33
	NW ¼	of SE ¼	Sect. 11	T. 29	R. 33
	NE ¼	of SE ¼	Sect. 11	T. 29	R. 33
	SW ¼	of NW ¼	Sect. 12	T. 29	R. 33
	NW ¼	of SW ¼	Sect. 12	T. 29	R. 33
	E ½	of NW ¼	Sect. 12	T. 29	R. 33
	NE ¼	of SW ¼	Sect. 12	T. 29	R. 33
	W ½	of NW ¼	Sect. 13	T. 30	R. 33
	W ½	of SE ¼	Sect. 13	T. 30	R. 33
	NE ¼	of SW ¼	Sect. 13	T. 30	R. 33
	W ½	of SW ¼	Sect. 13	T. 30	R. 33
	W ½ Lot 1 NW fr ¼		Sect. 5	T. 29	R. 32
	SW ¼	of SW ¼	Sect. 4	T. 29	R. 33

	SW ¼ of NW ¼	Sect. 10	T. 29	R. 33
	NW ¼ of SW ¼	Sect. 10	T. 29	R. 33
	NE ¼ of NW ¼	Sect. 10	T. 29	R. 33
	SW ¼ of SE ¼	Sect. 26	T. 30	R. 33

and WHEREAS the said tracts, pieces or parcels of land hereinbefore described were entered at the aforesaid Land office as follows—to wit:

By Jackson Warren on the 20th day of September 1856.

(Polk Co.)	SW ¼ of SE ¼	Sect. 5	T. 34	R. 21
	SW ¼ of SW ¼	Sect. 5	T. 34	R. 21
	NW ¼ of NW ¼	Sect. 8	T. 34	R. 21

By George W. Broom December 6th 1856.

Jasper County	W ½ Lot 1 & E ½ lot 2 NW fr ¼	Sect. 5	T. 29	R. 33
	W ½ lot 2 & lot 3 NW ¼	Sect. 5	T. 29	R. 33
	Lot 4 of NW ¼	Sect. 5	T. 29	R. 33
	W ½ of SW ¼	Sect. 5	T. 29	R. 33
	NE ¼ of SW ¼	Sect. 5	T. 29	R. 33
	NW ¼ of SE ¼	Sect. 5	T. 29	R. 33

November 22d 1856.

SE ¼ of NW ¼	Sect. 9	T. 29	R. 33
W ¼ of NE ¼	Sect. 9	T. 29	R. 33
N ¼ of NW ¼	Sect. 9	T. 29	R. 33
SE ¼ of NE ¼	Sect. 9	T. 29	R. 33
NE ¼ of SW ¼	Sect. 9	T. 29	R. 33
N ½ of SE ¼	Sect. 9	T. 29	R. 33

November 24th 1856.

S ½ of NE ¼	Sect. 11	T. 29	R. 33
NW ¼ of SE ¼	Sect. 11	T. 29	R. 33
NE ¼ of SE ¼	Sect. 11	T. 29	R. 33
SW ¼ of NW ¼	Sect. 12	T. 29	R. 33
NW ¼ of SW ¼	Sect. 12	T. 29	R. 33
E ½ of NW ¼	Sect. 12	T. 29	R. 33
NE ¼ of SW ¼	Sect. 12	T. 29	R. 33

December 6th 1856.

W ½ of NW ¼	Sect. 13	T. 30	R. 33
W ½ of SE ¼	Sect. 13	T. 30	R. 33

February 6th 1857.

NE¼ of SW¼		Sect. 13	T. 30	R. 33
W½ of SW¼		Sect. 13	T. 30	R. 33

November 22d 1856.

W½	Lot 1	NW fr¼ Sect. 5	T 29	32
SW¼ of SW ¼		Sect. 4	T 29	33
SW¼ of NW¼		Sect. 10	T 29	33
NW¼ of SW¼		Sect. 10	T 29	33
NE¼ of NW¼		Sect. 10	T 29	33

February 5th 1857.

SW¼ of SE¼		Sect. 26	T 30	33

and WHEREAS the aforesaid tracts, pieces or parcels of land were subsequently to the entry of the same by individuals as hereinbefore stated, approved and patented to the State of Missouri as Swamp and overflowed lands enuring to said State under said act of Congress of Sept. 28th, 1850;

and WHEREAS, by an act of Congress, approved March 2, 1855, entitled "An Act for the relief of purchasers and locators of Swamp and overflowed Lands" it is directed "That the President of the United States cause patents to be issued as soon as practicable to the purchaser or purchasers, locator or locators, who have made entries of the public Lands claimed as Swamp Lands, either with cash, or with land warrants or with scrip, prior to the issue of patents to the State or States as provided for by the second Section of the Act approved September 28th, 1850, entitled, "an Act to enable the State of Arkansas and other States to reclaim the Swamp land within their limits, any decision of the Secretary of the Interior, or other officer of the Government of the United States to the contrary notwithstanding:"

and WHEREAS the provisions of the act of 2d of March 1855, last above recited have been continued in force and extended by the act of 3d of March 1857, entitled "an Act to confirm to the several States the swamp and overflowed Lands selected under the act of September 28th 1850, and the act of 2d of March, 1849;"

and WHEREAS, in accordance with a Statute of the State of Missouri, the County Courts of Polk and Jasper Counties, Missouri, in which Counties the lands hereinbefore described are situate, have authorized the Governor to relinquish the Title of the State in and to the said lands:

NOW THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested, in consideration of the premises, do hereby release and forever relinquish unto the United States of America, all right, title, claim or interest of any kind whatsoever, of the said State of Missouri in and to the lands hereinbefore described and every portion thereof acquired under or by virtue either of the aforesaid selection and approval or the patent heretofore issued to the said State of Missouri, intending hereby to restore said Lands back to the control of the United States as fully as if said approval had never been made or said patent issued.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of
(Seal) Jefferson this fifteenth day of September A. D. 1869; of the Independence of the United States the Ninety Fourth, and of the State of Missouri the Fiftieth.

By the Governor J. W. MCCLURG.
FRANCIS RODMAN, Secretary of State.
By EUGENE F. WEIGEL, Chief Clerk.

OFFERING A REWARD

SEPTEMBER 24, 1869

From the Register of Civil Proceedings, 1868-1874, p. 115

WHEREAS one Jacob Killian, did on the 21st day of August 1869, at Granby, Mo. shoot and kill William Lake, the Proprietor of Lakes Circus; and

WHEREAS the said Jacob Killian has fled from justice and is still at large

NOW THEREFORE I, Joseph W McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of Three Hundred Dollars, for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Newton County, Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this twenty fourth Day of September A. D. 1869.

J. W. MCCLURG.

By the Governor:

FRANCIS RODMAN, Secretary of State.

Description of fugitive:

Jacob Killian is about 24, or 25, years old, six feet one, or one and a half inch in height, slender form, light brown hair, florid complexion; is nearly blind in his right eye which is sunk deep in his head, disfiguring him badly. (send to John Q. Page, Circuit Atty. at Neosho to publish)

OFFERING A REWARD

OCTOBER 2, 1869

From the Register of Civil Proceedings, 1868-1874, p. 118

WHEREAS James H. Edmondson was foully murdered by some person or persons unknown, on the 26th day of September 1869 at Calhoun Henry County Missouri; and

WHEREAS the said unknown murderer or murderers have fled from justice and are still at large.

NOW THEREFORE I, Joseph W McClurg, Governor of the State of Missouri, by virtue of the authority in me vested

by law, for good and sufficient reasons appearing, do offer a reward of three hundred dollars, each, for the apprehension and delivery of the body or bodies of the murderer or murderers, aforesaid, accompanied with sufficient evidence to lead to his or their indictment for the crime, to the Sheriff of Henry County Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State of Missouri. Done at the City of Jefferson this second day of October in the year of our Lord Eighteen hundred and sixty nine, of the independence of the United States the ninety fourth and of the State of Missouri the fiftieth.

J. W. MCCLURG.

By the Governor:
FRANCIS RODMAN, Secretary of State.
By EUGENE F. WEIGEL, Chief Clerk.

ON THANKSGIVING

OCTOBER 29, 1869

From the Register of Civil Proceedings, 1868-1874, p. 122

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
October 29, 1869

The President of the United States having by proclamation recommended "That Thursday the 18th day of November next be observed as a day of Thanksgiving and praise." I do hereby designate and proclaim said day as a day of thanksgiving in this State "The Lord taketh pleasure in them that fear him" in those that hope in his mercy" He maketh peace in the borders and filleth the with the finest of the wheat" I earnestly recommend that all people assemble both in family circles and places of public worship and "praise the name of the Lord" for the abundant blessings attendant upon general peace and general plenty.

In Testimony Whereof I have hereunto set my
(SEAL) hand and caused to be affixed the Great Seal of the State, the day above written.

By the Governor: J. W. McCLURG.
FRANCIS RODMAN, Secretary of State.
By EUGENE F. WEIGEL, Chief Clerk.

OFFERING A REWARD

NOVEMBER 1, 1869

From the Register of Civil Proceedings, 1868-1874, p. 123

WHEREAS one Thomas Berry has been charged by affidavit with the crime of having murdered Richmond C Mathews in Jefferson County Missouri on the night of the 18th of October 1869 and

WHEREAS a warrant has issued to the proper officers of Jefferson County for the arrest of said Berry: and

WHEREAS the said Thomas Berry has fled from justice and is still at large.

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of Two hundred dollars for the apprehension and delivery to the Sheriff of Jefferson County of the body of the fugitive aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of
(SEAL) Jefferson this first day of November in the year of our Lord 1869 of the Independence of the United States the Ninety fourth and of the State of Missouri the fiftieth.

By the Governor: J. W. McCLURG.
FRANCIS RODMAN, Secretary of State.
By EUGENE F. WEIGEL, Chief Clerk.

Description of Fugitive.

Thomas Berry is about 18 years old, five feet high, very heavy built, has a large scar on the right cheek.

OFFERING A REWARD

NOVEMBER 6, 1869

From the Register of Civil Proceedings, 1868-1874, p. 125

WHEREAS Thomas H. Bolin was murdered by one Frank Kemp near Reform in Callaway Co Mo on the fifth day of November 1869: and

WHEREAS the said Frank Kemp has fled from justice and is still at large,

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law for good and sufficient reasons appearing do offer a reward of three hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Callaway County Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State of Missouri. Done at the City of Jefferson this 6th day of November A. D. 1869.

By the Governor: J. W. MCCLURG.
FRANCIS RODMAN, Secretary of State.

Description of Fugitive.

Frank Kemp is about 28 years old, about 5 feet 9 inches in hight, has dark hair inclined to curl, his left arm is off near the shoulder.

OFFERING A REWARD

DECEMBER 9, 1869

From the Register of Civil Proceedings, 1868-1874, p. 132

WHEREAS—T. W. Moses Dep'ty U. S. Marshal was murdered in Camden County Missouri on the 4th day of December 1869 by one Felix Whitworth: and

WHEREAS the said Felix Whitworth has fled from justice and is still at large.

NOW THEREFORE I Joseph W McClurg Governor of the State of Missouri by virtue of the authority in me vested by law, for good and sufficient reasons appearing do offer a reward of Three Hundred Dollars for the apprehension and delivery to the Sheriff of Camden County Mo of the body of the fugitive aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State of Missouri. Done at the City of Jefferson this ninth day of December A. D. 1869.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JANUARY 24, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 141-142

WHEREAS one Patrick Ryan did on the 16th day of March 1869 in the county of Clay murder one John Riley for which crime he was indicted by the Clay circuit court at the March term 1869: and

WHEREAS the said Patrick Ryan has fled from justice and is still at large

NOW THEREFORE I, Joseph W McClurg, Governor of the State of Missouri, by virtue of the authority in me

vested by law, for good and sufficient reasons appearing do offer a reward of three hundred dollars for the apprehension and delivery of the body of the murderer aforesaid to the sheriff of Clay county Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State of Missouri. Done at the city of Jefferson this 24th day of January A. D. 1870.

J. W. MCCLURG.

By the Governor:

FRANCIS RODMAN, Secretary of State.

By EUGENE F. WEIGEL, Chief Clerk.

OFFERING A REWARD

JANUARY 25, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 142-143

WHEREAS on Saturday the 23rd day of January 1870, a new born child was found dead on the bank of the river at Jefferson City under circumstance that showed it had been murdered; and

WHEREAS the murderer remains still undiscovered

NOW THEREFORE I, Joseph W McClurg, for good and sufficient reason appearing by virtue of the authority in me vested by law do offer a reward of Fifty Dollars for the apprehension and delivery of the body of the aforesaid unknown murderer to the Sheriff of Cole Co. Mo. accompanied with such evidence as will establish his or her guilt.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 25th day of January A. D. 1870.

J. W. MCCLURG.

By the Governor:

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JANUARY 29, 1870

From the Register of Civil Proceedings, 1868-1874, p. 144

WHEREAS Charles Dietrich and Andrew Schlegel stand indicted in the circuit court of St. Genevieve County for the crimes of Burglary and Larceny; and

WHEREAS the said Dietrich and Schlegel have escaped from custody and are now at large:

NOW THEREFORE I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of one hundred and fifty dollars for the apprehension and delivery of the body of each of the aforesaid fugitives to the Sheriff of St. Genevieve county, Missouri.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the city of Jefferson this 29th day of January A. D. 1870.

J. W. MCCLURG.

By the Governor:

FRANCIS RODMAN, Secretary of State.

DESCRIPTION OF FUGITIVES.

Charles Dietrich alias Charles Linton, age 25 to 28, hight 5 ft, 9 or 10 inches; hair light; eyes blue; built slight; face thin and pale; no whiskers— moustache thin; has good countenance and teeth—long slim hands; is a German but speaks English well.

Andrew Schlegel alias John Hahn; age 28-30; hight 5 ft 9 or 10 in; built robust and stout; hair light; eyes blue or hazel; whiskers thin and same collor as hair; has light complexion, surly countenance, broad face, good even teeth, big hands with a scar running up fore-finger on one hand; is a German but speaks English well.

OFFERING A REWARD

FEBRUARY 1, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 145-146

WHEREAS on the night of the 11th of December 1869, Theo. R. Freeman escaped from the jail of Bates county Mo; where he was confined for the murder of James Westbrook; and

WHEREAS the said Freeman has fled from justice and is still at large;

NOW THEREFORE I, Joseph W. McClurg Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of Two Hundred Dollars for the apprehension and delivery of the body of the fugitive, aforesaid to the Sheriff of Bates county Missouri.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the city of Jefferson this First day of February A. D. 1870.

J. W. MCCLURG.

By the Governor:

FRANCIS RODMAN, Secretary of State.

Description of Fugitive.

T. R. Freeman is about 5 ft 9 in tall; thirty years old; broad across the shoulders; low forehead, gray or hazel eyes, sandy whiskers and moustache and would weigh about 170 lbs.

OFFERING A REWARD

MARCH 7, 1870

From the Register of Civil Proceedings, 1868-1874, p. 152

WHEREAS James Reed was indicted in 1867 in Butler County Missouri for the murder of Henry Hardin and

WHEREAS the said Reed has fled from justice and is still at large:

NOW, THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of two hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Butler county, Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State of Missouri. Done at the City of Jefferson this seventh day of March A. D. 1870.

By the Governor:

J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

Description of Fugitive.

James Reed is about 24 years of age; five feet five inches in hight; weighs about 140 lbs; has a dark complexion; is quick spoken.

FIXING DATE FOR AN ELECTION

MARCH 28, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 158-159

In compliance with an act of the General Assembly approved March 10th 1870 entitled "an act to provide for the reclamation of the overflowed lands in south east Missouri, and to encourage the settlement thereof," notice is hereby given that an election will be held on the first Tuesday after the third Monday in May proximo, being the 17th day of the month, by the qualified voters in the "New Madrid Levee District," embracing Pemiscot, Dunklin and New Madrid counties that portion of Stoddard county known as "the new survey," and that portion of Scott county situated west and south of the Iron Mountain Rail-

road, on the question "shall there be protection from overflow."

The law provides that the voters desiring to express themselves in the affirmative shall do so by ballot on which shall be written or printed the words "shall there be protection from overflow? Yes," and those in the negative by ballot on which shall be written or printed the words "shall there be protection from overflow? No."

The said election will be held at the election precincts in each county as now established by the county court in each county except in that portion of Scott county included in said District, and the place of voting herein shall be at the election precinct nearest the center of said portion of said county.

The result of the election in each county will be certified by the county clerk thereof to the Secretary of State.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 28th day of March A. D. 1870.

By the Governor:

JOSEPH W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

By EUGENE F. WEIGEL, Chief Clerk.

OFFERING A REWARD

APRIL 22, 1870

From the Register of Civil Proceedings, 1868-1874, p. 166

WHEREAS it appears from the affidavit of Daniel Pulfer that Rudolph Pulfer was murdered in Henry county Mo, on the 7th day of April 1870 by one Christian Trachsel and

WHEREAS the said Trachsel has fled from justice and is still at larg:

NOW THEREFORE I, Joseph W. McClurg Governor of the State of Missouri, by virtue of the authority in me

vested by law, for good and sufficient reasons appearing, do offer a reward of three hundred dollars for the apprehension and delivery of the body of the murderer aforesaid, to the Sheriff of Henry County Missouri;

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the city of Jefferson this 22nd day of April A. D. 1870.

By the Governor: J. W. McCLURG.

FRANCIS RODMAN, Secretary of State.
By EUGENE WEIGEL, Chief Clerk.

Description of Fugitive.

Christian Trachsel is 26 years old, 5 feet, 6 in in hight; has dark brown hair; gray eyes; long nose; high forehead; round fat face, fresh florid complexion; speaks very slowly and usually goes with his head down. He is a Swiss and speaks the English language very imperfectly.

OFFERING A REWARD

APRIL 25, 1870

From the Register of Civil Proceedings, 1868-1874, p. 166

WHEREAS James Farmer was murdered on the 19th day of March 1870 in Dade county Mo. by one W. W. Amos; and

WHEREAS the said Amose has fled from justice and is still at large;

NOW THEREFORE I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of three Hundred Dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Dade County Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 25th day of April A. D. 1870.

By the Governor: J. W. McClurg.
Francis Rodman, Secy of State.
By Eugene F. Weigel, Chief Clerk.

Description of fugitive.

W. W. Amos is about 5 feet 6 in tall; and about 30 years old; has dark complexion, gray eyes, heavy black beard, and has a peculiar way of "ducking" of his head and shoulders. The forefinger of his right hand is crooked.

OFFERING A REWARD

May 5, 1870

From the Register of Civil Proceedings, 1868-1874, p. 168

Whereas Larry Finnerty was murdered in Randolph County, Missouri on the night of the 28th of February 1870, by some person unknown; and

Whereas the said unknown murderer has fled from justice and is still at large:

Now Therefore, I Joseph W McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of three hundred dollars for the apprehension and delivery of the body of the murderer aforesaid to the Sheriff of Randolph County.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this fifth day of May A. D. 1870.

By the Governor: J. W. McClurg.
Francis Rodman, Secretary of State.

OFFERING A REWARD

MAY 6, 1870

From the Register of Civil Proceedings, 1868-1874, p. 170

WHEREAS indictments are pending in Butler county Mo. against Thomas Arnold, jr. Byman Glass, John Tilley and John Porter for the crime of murder, and against Jesse Arnold for the crime of lewdly and lasciously cohabiting, and

WHEREAS indictments are pending in Stoddard County Mo. against David Victor, Mitchell Alexander, Nathan Bolin, Irvin Scott and Larkin Staggs, and

WHEREAS the said persons indicted as aforesaid, have fled from justice and are still at large:

NOW THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of three Hundred dollars for the apprehension of the body of each and every one of the fugitives aforesaid and the delivery of the same as follows:

Thomas Arnold, Jr. Byman Glass, John Tilley, John Porter and Jesse Arnold, to the Sheriff of Butler county. David Victor, Mitchell Alexander, Nathan Bolin, Irvin Scott and Larkin Staggs to the Sheriff of Stoddard county.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this sixth day of May A. D. 1870.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

JUNE 3, 1870

From the Register of Civil Proceedings, 1868-1874, p. 176

WHEREAS George W. Webb under indictment for murder and James Campbell, under indictment for felonious assault with intent to kill, escaped from the Jail of Lawrence County Missouri on the night of May 22nd 1870: and

WHEREAS the said Webb and Campbell have fled from justice and are still at large.

NOW THEREFORE I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reason appearing, do offer a reward of three Hundred dollars for Webb and two Hundred dollars for Campbell, the fugitives aforesaid, to be paid upon the apprehension and delivery of their bodies to the Sheriff of Lawrence Co. Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal
(SEAL) of the State. Done at the City of Jefferson this 3rd day of June A. D. 1870.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

By EUGENE F. WEIGEL, Chief Clerk.

Description of Fugitives.

George W. Webb is 6 feet tall; weighs 200 lbs. has florid complexion, light blue eyes, Roman nose, slight blotches on his face, brown curly hair thin on the top of head; sandy whiskers, not very heavy, speaks quickly, has an erect carriage and drinks whiskey.

James Campbell is 5 feet 10 in tall; weighs 160 lbs; has brown hair, and whiskers somewhat lighter, acquiline nose, round face and prominent cheek bones.

OFFERING A REWARD

JUNE 7, 1870

From the Register of Civil Proceedings, 1868-1874, p. 177

WHEREAS Thomas Ballance on the 4th day of June 1870 in Jefferson City Mo. did commit an assault with intent to kill, upon one Belle Smith: and

WHEREAS the said Thomas Ballance has fled from justice and is still at large:

NOW THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of one Hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Cole County Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 7th day of June A. D. 1870.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

By EUGENE F. WEIGEL, Chief Clerk.

OFFERING A REWARD

JUNE 22, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 180-181

WHEREAS one Everett Gardner is charged, by indictment in St. Francois County, Missouri, with the murder of Morris Herrington; and

WHEREAS the said Everett Gardner has fled from justice and is still at large;

NOW THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me

vested by law, for good and sufficient reasons appearing, do offer a reward of three Hundred Dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of St. Francois Co.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 22nd day of June A. D. 1870.

By the Governor: J. W. McClurg.

Francis Rodman, Secretary of State.

OFFERING A REWARD

June 25, 1870

From the Register of Civil Proceedings, 1868-1874, p. 182

Whereas a coroners Jury convened at Osage City, Cole County, Missouri, on the 10th day of June A. D. 1870, to enquire into the cause of the death of a new born male child found buried at that place, rendered a verdict that the said child was put to death on or about the 30th day of May 1870 by its mother Christina Laux and its Grandmother, Margaretha Laux; and

Whereas the said Christina Laux and Margaretha Laux have fled from justice and are still at large:

Now Therefore I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of one Hundred dollars, each, for the apprehension and delivery of the bodies of the fugitives aforesaid to the Sheriff of Cole county Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson, this 25th day of June A. D. 1870.

By the Governor: J. W. McClurg.

Francis Rodman, Secy of State.

OFFERING A REWARD

JUNE 27, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 183-184

WHEREAS one Charles Higginson murdered Archibald Diamond on the first day of June A. D. 1870, in Jefferson County Mo; and

WHEREAS the said Higginson has fled from justice and is still at large:

NOW THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of three Hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Jefferson County, Missouri.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 27th day of June A. D. 1870.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

By EUGENE F. WEIGEL, Chief Clerk.

Description of Fugitive.

Charles Higginson is about 30 years old, 5 feet 7 in. high; has black eyes, dark hair, full face, heavy built, thin whiskers, mustache and goatee. One foot is deformed. Is an Englishman.

ON RELINQUISHMENT OF LAND

JULY 11, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 185-186

Know all men by these Presents:

That, WHEREAS in pursuance of laws of the United States and of the State of Missouri; and by authority of

orders, of the county courts of Wright county and other counties the Governor of Missouri, on the 23rd day of September 1868 executed a relinquishment of the title of the State to certain lands which had been in advertently patented to the State as swamp lands, the same having been located by individuals prior to such patents, and

WHEREAS said deed of relinquishment included amongst others the following described tract of land patented to the State as Swamp land on the 3rd day of April 1857, and purporting to have been entered by R. H. Boatman prior to such patent-viz: Lot 2 of N. W. ½ sect. 18 T. 30, R. 12, Springfield District; and

WHEREAS under date of May 3rd 1870, the Commission of the General Land office, states that said tract appears from the records in his office never to have been disposed of by the United States in any manner except by the Swamp Patent as aforesaid and that a cancellation of the aforesaid relinquishment will be accepted by him so far as it affects the above described tract; and

WHEREAS from the above it clearly appears that the release of the title to said tract was made in error;

NOW THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested, in consideration of the premises do hereby cancel and forever rescind the aforesaid relinquishment in so far as it releases to the United States the title of the State of Missouri to Lot 2. N. W. ½. Sect. 18. T 30. R. 12.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State. Done at the city of Jefferson this
(SEAL) eleventh day of July in the year of our Lord 1870, of the independence of the United States the Ninety fifth and of the State of Missouri the Fiftieth.

By the Governor: J. W. MCCLURG.
FRANCIS RODMAN, Secretary of State.

OFFERING A REWARD

AUGUST 12, 1870

From the Register of Civil Proceedings, 1868-1874, p. 193

WHEREAS, Samuel Orr, did on the 27th day of July 1870, in Pike county, Missouri, murder one John McGeary; and,

WHEREAS the said Samuel Orr, has fled from justice and is still at large:

NOW THEREFORE I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing do offer a reward of Three Hundred dollars for the apprehension and delivery of the Sheriff of Pike County, Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 12th day of August A. D. 1870.

By the Governor: J. W. MCCLURG.

FRANCIS RODMAN, Secretary of State.

Desciription of Fugitive.

Samuel Orr is Twenty one years of age, six feet high, has light hair, gray eyes, long nose and a smooth face.

OFFERING A REWARD

AUGUST 15, 1870

From the Register of Civil Proceedings, 1868-1874, p. 194

WHEREAS James Jones committed an assault with intent to kill on one Robert F. Lawson, in Callaway County, Mo., on the 10th day of August 1870; and

WHEREAS the said James Jones has fled from justice and is still at large:

NOW THEREFORE I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of two Hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Callaway County, Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this fifteenth day of August A. D. 1870.

By the Governor: J. W. MCCLURG.
FRANCIS RODMAN, Secretary of State.

Description of Fugitive.

James Jones is a very large fleshy man nearly 6 feet high; has light blue eyes; dark hair, and fair complexion; has lost some front upper teeth.

OFFERING A REWARD

SEPTEMEER 5, 1870

From the Register of Civil Proceedings, 1868-1874, p. 197

WHEREAS Benton D. Heninger was murdered in Monroe county Mo. on the 13th day of August 1870 by one Wm. Gose; and

WHEREAS the said Gose has fled from justice and is still at large:

NOW THEREFORE I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of Three Hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Monroe county Mo.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 5th day of September A. D. 1870.

By the Governor: JOSEPH W. MCCLURG.
FRANCIS RODMAN, Secretary of State.

Description of Fugitive.

Wm. Gose is about 21 years of age, 5 feet 11 inches in hight; has fair complexion and brown hair.

OFFERING A REWARD

SEPTEMBER 6, 1870

From the Register of Civil Proceedings, 1868-1874, p. 198

WHEREAS Patrick Breen was murdered in Osage county Mo., on the 30th day of August 1870, by one Oscar Gray and

WHEREAS the said Oscar Gray has fled from justice and is still at large:

NOW, THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law, for good and sufficient reasons appearing, do offer a reward of three Hundred dollars for the apprehension and delivery of the body of the fugitive aforesaid to the Sheriff of Osage county.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this 6th day of September A. D. 1870.

By the Governor: JOSEPH W. MCCLURG.
FRANCIS RODMAN, Secretary of State.

ON A LAND PATENT TO SOUTH PACIFIC RAILROAD

SEPTEMBER 27, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 201-203

The State of Missouri To all to whom these presents shall come greeting:

Know ye that WHEREAS by an Act of Congress, entitled "An Act granting the right of way to the State of Missouri, and a portion of the public lands, to aid in the construction of certain Railroads in said State" Approved June 10th 1852 there was granted unto the State of Missouri every alternate section of land designated by even numbers for six sections in width on each side of a road from the City of Saint Louis to the Western Boundary of said State, and where any such even numbered sections, or any part thereof had been otherwise disposed of the quantity thereof to be selected out of other even numbered sections within fifteen miles of the line of said road.

And WHEREAS by an Act of Congress supplemental to said last mentioned act, Approved June 5th 1862 the time for the completion of said Road was extended to the tenth day of June 1872.

And WHEREAS by an Act of the General Assembly of the State of Missouri entitled "An Act to accept a grant of land made to the State of Missouri by the Congress of the United States to aid in the construction of certain Railroads in the State and to apply a portion thereof to the Pacific Railroad" Approved December 25th 1852, the said land was granted to the Pacific Railroad for its main line to the point of divergence of a branch road to be called "The Southwest Branch Railroad" and from said point of divergence the said land was granted for said "Southwest Branch Railroad,"

And WHEREAS by an Act of the General Assembly of the State of Missouri entitled "An Act to provide for the

sale of certain Railroads & Property by the Governor, to foreclose the State lien thereon and to secure an early completion of the Southwest Branch Pacific, the Platte country, the St. Louis and Iron Mountain the Cairo & Fulton Railroads of Missouri." Approved February 19th 1866, and the act supplementary to and explanatory of said last named act approved March 19th, 1866. The said Southwest Branch Railroad was separated from the Pacific Railroad, and the same with all its appurtenances, real estate, rolling stock, cars, engines, depots, & other property, real or personal, and all rights and franchises thereunto attached or in anywise belonging together with all the land theretofore appropriated to the construction of said railroad as provided by the Act of Congress of the 10th June 1852 and the Act of the General Assembly of the State of Missouri of 25th December 1852, hereinbefore mentioned was declared to have reverted to and become the property of the State by operation of law and was by said act erected into a separate railroad corporation by the name and style of the "Southwest Pacific Railroad," and whereas by the act of the General Assembly of said State of Missouri, entitled "An Act to dispose of the Southwest Pacific Railroad and other property belonging thereto and to secure the early completion of said road" Approved March 17th 1868, the said Railroad its franchises and all other property described in said act was granted to Andrew Pierce Jr. and certain other parties therein named and their associates and the said guarantees, and their associates having organized under the laws of the State became by said Act a corporation known as "The South Pacific Railroad Company."

And WHEREAS the South Pacific Railroad Company having completed its Railroad westward from the point of divergence of said Railroad from the Pacific Railroad to the line dividing section twenty eight (28) from section twenty nine (29) in township twenty six (26) North of Range, Mo. Twenty-eight (28) West of the fifth principal meridian in the manner required by law, which fact has

been certified to the Secretary of Interior of the United States, as provided by said act of Congress of the 10th of June 1852, and having in all respects complied with the law in reference to the said grant of land and the building of said Railroad up to the point herein before designated.

Now Therefore In consideration of the premises I Joseph W. McClurg Governor of the State of Missouri, do hereby certify that in pursuance and by operation of the acts of Congress and the act of the General Assembly of the State of Missouri hereinbefore referred to, the grant of land made by said act of Congress for a Railroad from the City of St. Louis to a point on the western boundary of the State designated by the authority of said State has inured to the said South Pacific Railroad Company and there is therefore vested by law in the said Company the title in fee simple of all lands granted by the act of Congress aforesaid and accepted by the State of Missouri and selected, listed, certified or claimed for said Railroad on account of said grant to the entire extent that such claims, selections, designations, lists or plats have heretofore been accepted approved or recognized or may hereafter be accepted, approved or recognized by the Department of the Interior of the United States: all lands embraced in said grant from the point of divergence of said South Pacific Railroad from the Pacific Railroad to the said line dividing section twenty eight (28) from section twenty nine (29) in township twenty six (26) North of Range, Mo. twenty-eight (28) West of the fifth principal meridian.

In Testimony Whereof I Joseph W. McClurg Governor as aforesaid have hereunto signed my name and caused this to be made Patent by the
(SEAL) attestation of the Secretary of State and causing the Great Seal of the State to be hereunto affixed at the City of Jefferson on the 27th day of September in the year of our Lord 1870.

J. W. McClurg.

ON THANKSGIVING

NOVEMBER 10, 1870

From the Register of Civil Proceedings, 1868-1874, p. 211

WHEREAS "the Lord He is the God" by whom "Nations are counted as the small dust of the balance;" Who sends prosperity, pestilence or sword at His pleasure; Who exalts a righteous people and destroys a wicked; it becomes all persons to bow before Him with reverence.

THEREFORE the Twenty Fourth day of November instant is hereby appointed a day of Thanksgiving for fast and prayers for future blessings.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State. Done at Jefferson City this
(SEAL) Tenth day of November in the year of our Lord 1870; of the independence of the United States the 95th and of the State of Missouri the 51st.

By the Governor: J. W. MCCLURG.
FRANCIS RODMAN, Secy of State.
By EUGENE F. WEIGEL, Chief Clerk.

OFFERING A REWARD

NOVEMBER 16, 1870

From the Register of Civil Proceedings, 1868-1874, p. 214

WHEREAS one John W. Adkins stands indicted in Henry County, Missouri for the murder of John D. Mills, on the 8th day of October last, and

WHEREAS the said Adkins has fled from justice and is still at large:

NOW THEREFORE I, Joseph W. McClurg Governor of the State of Missouri, by virtue of the authority in me

vested by law, for good and sufficient reasons appearing, do offer a reward of three Hundred dollars for the apprehension and delivery of the body of the murderer aforesaid to the Sheriff of Henry county Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (SEAL) of the State. Done at the City of Jefferson this sixteenth day of November A. D. 1870.

By the Governor: J. W. McCLURG.

FRANCIS RODMAN, Secretary of State.

By EUGENE F. WEIGEL, Chief Clerk.

ON AN AMENDMENT TO THE STATE CONSTITUTION

DECEMBER 12, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 234-236

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, The 25th General Assembly, at its adjourned session, submitted the following amendment to the constitution of the State of Missouri, to be voted on by the legal voters of the State at the General Election on the next Tuesday after the first Monday in November A. D. 1870, to-wit:

"Section 1. Every male citizen of the United States and every person of foreign birth, who may have declared his intention to become a citizen of the United States according to law, not less than one year nor more than five years before he offers to vote, who is over the age of twenty-one years who has resided in this State one year next preceding his registration as a voter, and during the last sixty days of that period shall have resided in the county city or town where he seeks registration as a voter, who is not convicted of bribery, perjury or other infamous crime, nor directly or indirectly interested in any bet or wager, depending upon the result of the election for which said registra-

tion is made, nor serving at such time in the regular army or navy of the United States, shall be entitled to vote at such election for all officers, State, county or municipal, made elective by the people or any other election, held in pursuance of the laws of this State, but he shall not vote elsewhere than in the election district where his name is registered, except as provided in the twenty-first section of the second Article of the Constitution. Any person who shall, after the adoption of this amendment, engage in any rebellion against this State or the United States, shall forever be disqualified from voting at any election."

"Section 2. Hereafter it shall not be required of any person, before he is registered as a voter or offers to vote, to take the oath of loyalty prescribed in the sixth section of the second article of the constitution, but every person before, he is registered as a qualified voter shall take an oath to support the constitution of the United States and of the State of Missouri."

"Section 3. Sections five, fifteen, sixteen, seventeen, eighteen, of the second article of the constitution, and all provisions thereof, and all laws of this State, not consistent with this amendment shall, upon its adoption, be forever rescinded and of no effect."

And WHEREAS, it was certified to me by the Secretary of State on the 10th day of December instant that it appeared, from the returns of said election that a majority of the qualified voters of the State had voted in favor of said amendment:

NOW, THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, in consideration of the premises and in compliance with section 5, of "An Act for submitting constitutional amendments to a vote of the people," approved March 8th 1867, do hereby declare the aforesaid amendment to be ratified by a majority of the qualified voters of this State, and to be valid and binding to all intents and purposes, as part of the constitution of Missouri.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal of the State. Done at the City of Jefferson this
(SEAL) twelfth day of December in the year of our Lord, one thousand, eight hundred and seventy; of the independence of the United States the ninety-fifth and of the State of Missouri the fifty first.

By the Governor: J. W. McCLURG.
FRANCIS RODMAN, Secy of State.

ON AN AMENDMENT TO THE STATE CONSTITUTION

DECEMBER 12, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 236-237

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, The 25th General Assembly, at its adjourned session, submitted the following amendment to the constitution of the State of Missouri, to be voted on by the legal voters of the State at the General election on the next Tuesday after the first Monday in November A. D. 1870 to wit:

"First "Strike out the words "in District courts" in section one of article six of the constitution of the State of Missouri, so that said section, when so amended, shall read as follows:

Section 1. The judicial power, as to matters of law and equity, shall be vested in a supreme court, in circuit courts, and in such inferior tribunals as the General Assembly may from time to time establish."

"Second, Also section twelve, article six of the constitution is hereby stricken out and the following inserted in lieu thereof: Section 12. "Every appeal or writ of error shall lie from any circuit court or inferior court of record, having concurrent jurisdiction with circuit courts,

to the supreme court as in such cases may be provided by law."

And WHEREAS, it was certified to me by the Secretary of State, on the 10th day of December instant, that it appeared from the returns of said election that a majority of the qualified voters of the State had voted in favor of said amendment:

NOW, THEREFORE, I, Joseph W. McClurg, Governor of the State of Missouri, in consideration of the premises and in compliance with section 5 of "An Act for submitting constitutional amendments to a vote of the people" approved March 8th, 1867, do hereby declare the aforesaid amendment to be certified by a majority of the qualified voters of this State, and to be valid and binding, to all intents and purposes as part of the constitution of Missouri.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal of the State. Done at the City of Jefferson
(SEAL) this twelfth day of December in the year of our Lord one thousand eight hundred and seventy; of the independence of the United States the ninety-fifth and of the State of Missouri the fifty-First.

By the Governor: J. W. MCCLURG.
FRANCIS RODMAN, Secretary of State

ON AMENDMENTS TO THE STATE CONSTITUTION

DECEMBER 12, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 237-238

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, the 25th General Assembly at its adjourned Session submitted the following amendment to the constitution of the State of Missouri, to be voted on by the legal voters of the State at the General election on the next Tuesday after the first Monday in November A. D

1870, to wit: "Article nine of the Constitution of the State of Missouri is hereby amended by adding a new section thereto, to be numbered and known as section ten, and to read as follows: Section 10. Neither the General Assembly nor any county, city, town, township, school district, or other municipal corporation shall ever make any appropriation or pay from any public fund whatever, anything in aid of any creed, church, or sectarian purpose, or to help support, or sustain any school, academy, seminary college, university or other institution of learning, controlled by any creed, church, or sectarian denomination whatever, nor shall any grant or donation of personal property or real estate ever be made by State, county, city, town, or such public corporation, for any creed, church, or sectarian purpose whatever."

And WHEREAS, it was certified to me by the Secretary of State, on the 10th day of December instant, that it appeared from the returns of said election that a majority of the qualified voters of the State had voted in favor of said amendment:

NOW, THEREFORE, I Joseph W. McClurg, Governor of the State of Missouri, in consideration of the premises, and in compliance with section 5 of "An Act for submitting constitutional amendments to a vote of the people," approved March 8th 1867, do hereby declare the aforesaid amendment to be ratified by a majority of the qualified voters of this State, and to be valid and binding, to all intents and purposes, as part of the constitution of Missouri.

In Testimony Whereof I, have hereunto set my name and caused to be affixed the Great Seal of the State. Done at the City of Jefferson this
(SEAL) twelfth day of December in the year of our Lord one thousand eight hundred and seventy; of the independence of the United States the ninety-fifth and the State of Missouri the fifty first.

J. W. MCCLURG.

By the Governor:

FRANCIS RODMAN, Secretary of State.

ON AN AMENDMENT TO THE STATE CONSTITUTION

DECEMBER 13, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 238-239

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, The 25th General Assembly, at its adjourned session submitted the following amendment to the constitution of the State of Missouri, to be voted on by the legal voters of the State at the General election on the next Tuesday after the first Monday in November A. D. 1870, to wit."

"The eleventh section of the second article of the constitution of this State requiring jurors to take the oath of loyalty prescribed in the sixth section of said article, is hereby stricken out and forever rescinded."

And WHEREAS it was certified to me by the Secretary of State, on the 10th day of December instant, that it appeared from the returns of said election that a majority of the qualified voters of the State had voted in favor of said amendment:

NOW THEREFORE, I, Joseph W. McClurg Governor of the State of Missouri, in consideration of the premises, and in compliance with section 5 of "An Act for submitting constitutional amendments to a vote of the people," approved March 8th 1867, do hereby declare the aforesaid amendment to be ratified by a majority of the qualified voters, of this State, and to be valid and binding, to all intents and purposes, as part of the constitution of Missouri.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal of the State. Done at the City of Jefferson this
(SEAL) thirteenth day of December, in the year of our Lord one thousand eight hundred and seventy; of the independence of the United States the

Ninety Fifth; and of the State of Missouri the fifty first.

J. W. McCLURG.

By the Governor:

FRANCIS RODMAN, Secretary of State.

ON AN AMENDMENT TO THE STATE CONSTITUTION

DECEMBER 13, 1870

From the Register of Civil Proceedings, 1868-1874, p. 239

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, The 25th General Assembly, at its adjourned session, submitted the following amendment to the constitution of the State of Missouri, to be voted on by the legal voters of the State at the general election, on the next Tuesday after the first Monday in November A. D. 1870, to wit:

"The sixth (6th) section of article eight (8) of the constitution of the State of Missouri is hereby amended so that said section shall read as follows: Section 6. Dues from private corporations shall be secured by such means as may be prescribed by law but in no case shall any such stockholder be individually liable in any amount over or above the amount of the stock owned by him or her."

And WHEREAS it was certified to me by the Secretary of State on the 10th day of December instant that it appeared from the returns of said election that a majority of the qualified voters, of the State, had voted in favor of said amendment:

NOW THEREFORE I Joseph W. McClurg, Governor of the State of Missouri, in consideration of the premises, and in compliance with section 5 of "An Act for submitting constitutional amendments to a vote of the people approved March 8th 1867 do hereby declare the aforesaid amendment to be ratified by a majority of the qualified voters of

this State and to be valid and binding to all intents and purposes, as part of the constitution of Missouri.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal of the State. Done at the City of Jefferson this
(SEAL) thirteenth day of December in the year of our Lord, one thousand eight hundred and seventy; of the independence of the United States the ninety-fifth and of the State of Missouri the fifty-first.

J. W. McCLURG.

By the Governor:
FRANCIS RODMAN, Secy of State.

ON AN AMENDMENT TO THE STATE CONSTITUTION

DECEMBER 13, 1870

From the Register of Civil Proceedings, 1868-1874, pp. 240-241

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, The 25th General Assembly at its adjourned session submitted the following "amendment to the constitution of the State of Missouri to be voted on by the legal voters of the State at the General Election on the next Tuesday after the first Monday in November A. D. 1870, to wit:

"Section 1. No person shall hereafter be disqualified from holding in this State any office of honor, trust or profit under its authority, or of being an officer, councilman, director, trustee or other manager of any corporation, public or private, now existing or hereafter established by its authority, or of acting as a professor or a teacher in any educational institution, or in any common or other school, or of holding any real estate or other property in trust for the use of any church, religious society or congregation on account of race or color or previous condition of servitude, nor on

account of any of the provisions of the third section of the second article of the constitution, nor shall hereafter any such person before he enters upon the discharge of his said duties, be required to take the oath of loyalty prescribed in the sixth section of said article, but every person who may be elected or appointed to any office, shall, before entering upon its duties, take and subscribe an oath or affirmation that he will support the constitution of the United States and of the State of Missouri and to the best of his skill and ability, diligently and faithfully without partiallity or prejudice, discharge the duties of such office according to the constitution and laws of this State."

"Section 2. Sections seven, eight, nine, ten, thirteen, fourteen of the second article of the constitution, and all provisions thereof, and all laws of this State, not consistent with this amendment, shall upon its adoption be forever rescinded and of no effect."

And WHEREAS, it was certified to me by the Secretary of State, on the 10th day of December instant, that it appeared from the returns of said election that a majority of the qualified voters of the State had voted in favor of said amendment.

NOW, THEREFORE I, Joseph W. McClurg, Governor of the State of Missouri, in consideration of the premises and in compliance with section 5. of "An Act for submitting constitutional amendments to a vote of the people," approved March 8th 1867 do hereby declare the aforesaid amendment to be ratified by a majority of the qualified voters of this State, and to be valid and binding, to all intents and purposes, as part of the constitution of Missouri.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal of the State. Done at the City of Jefferson
(SEAL) this thirteenth day of December, in the year of our Lord, one thousand eight hundred and seventy; of the independence of the United

States, the Ninety Fifth and of the State of Missouri the fifty first.

By the Governor: J. W. McClurg.
Francis Rodman, Secretary of State.

DECLARING TWO DAYS OF THANKSGIVING

December 16, 1870

From the Register of Civil Proceedings, 1868-1874, p. 245

State of Missouri, Executive Department

Whereas, It is the expressed desire of a respectable portion of the business community that they may not be confined to banking and other business houses on Monday the 26th inst and Monday the 2nd prox. and thereby be debarred from the enjoyment of those days which will be generally observed as time honored holidays, Christmas day and New Years day each coming on a Sunday:

Therefore, and as it is ever a duty and a privilege to bless the Lord for all His goodness, Monday the 26th day of December instant, and Monday the 2nd day of January next are hereby declared to be Thanksgiving days throughout this State.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal
(seal) of the State. Done at the City of Jefferson this sixteenth day of December A. D. 1870.

By the Governor: J. W. McClurg.
Francis Rodman, Secretary of State.
By Eugene F. Weigel, Chief Clerk.

OFFERING A REWARD

December 31, 1870

From the Register of Civil Proceedings, 1868-1874, p. 252

Whereas one William White was taken from the custody of the officers of the law and brutally murdered by some

persons unknown in Macon county Missouri, on the 10th day of November last; and

WHEREAS the said unknown murderers have hitherto escaped detection and arrest and are still at large:

NOW THEREFORE, I Joseph W. McClurg, Governor of the State of Missouri, by virtue of the authority in me vested by law for good and sufficient reasons appearing, do offer a reward of three Hundred dollars for the apprehension and delivery of each of the murderers aforesaid to the Sheriff of Macon Co. Mo. accompanied with sufficient evidence to lead to the indictment of the party.

In Testimony Whereof I have hereunto set my name and caused to be affixed the Great Seal (Seal) of the State. Done at the City of Jefferson this 31st day of December A. D. 1870.

By the Governor: J. W. MCCLURG.
FRANCIS RODMAN, Secretary of State.

MEMORANDA OF PROCLAMATIONS, WRITS OF ELECTION AND NOMINATING NOTICE

JANUARY 18, 1869

From the Journal of Executive Business, pp. 101-102

The President laid before the executive session a Communication from the Governor, nominating and asking the advice and consent of the Senate to commission Messrs. Ferd Meyer, and Albert M. Tyler, Police Commissioners for the City of Saint Louis

MARCH 6, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 63-64

The Governor issued writs to the Sheriffs of the following Counties. viz—Greene Taney Barry Christian and Stone for special election to be held on the 6th day of August 1869 for Judge and Circuit Attorney of the Twenty first Judicial Circuit under act approved March 2 1869, said act creating above named Judicial Circuit.

MARCH 6, 1869

From the Register of Civil Proceedings, 1868-1874, p. 64

The Governor issued writs to the Sheriffs of the Counties of Johnson St Clair Bates Henry and Vernon, for a special election to be held on the first Tuesday after the first Monday in June 1869, for Judge and Circuit attorney of the Twenty-second Judicial Circuit under act approved March 4th 1869, said act creating above named judicial circuit.

MARCH 19, 1869

From the Register of Civil Proceedings, 1868-1874, p. 66

The Governor issued a writ of election to the Sheriff of St. Louis County to be held on the sixth day of April 1869 for a member of the House of Representatives of the State of Mo from the third district of St Louis County to fill vacancy caused by the resignation of Hon Fred T Ledergerber.

APRIL 28, 1869

From the Register of Civil Proceedings, 1868-1874, p. 79

The Governor issued a writ of election to the Sheriff of Dunklin County for Clerk of Court of Clarkton Common Pleas of said County to fill vacancy caused by the decease of Allen S Hord said election to be held on the first day of June 1869.

MAY 20, 1869

From the Register of Civil Proceedings, 1868-1874, p. 83

The Governor issued a writ of election for State Senator to fill vacancy caused by the death of Hon G W Elwell of 4th Senatorial Dist. and directed to the Sheriff of Caldwell County, said election to be held Monday October 4 1869.

MAY 20, 1869

From the Register of Civil Proceedings, 1868-1874, p. 83

The Governor issued a writ of election for Representative for the County of Pemiscott to fill vacancy caused by the death of Hon James A McFarland, and directed to the Sheriff of said county, election to be held on Monday 4 October 1869.

MAY 20, 1869

From the Register of Civil Proceedings, 1868-1874, p. 83

The Governor issued writs of Election to the Sheriffs of the Counties of Audrain Dunklin Oregon Ripley Shannon Wayne Jackson and Monroe for Representatives to the Legislature to fill vacancy caused by illegal registration and election, said election to be held on Monday 4th October 1869.

MAY 26, 1869

From the Register of Civil Proceedings, 1868-1874, p. 85

The Governor issued writs of election directed to the Sheriffs of the Counties of Monroe Audrain Dunklin Oregon Ripley Shannon Wayne Jackson and Pemiscott for Representatives from the above counties, to represent said counties in the 25th General Assembly of the State of Mo also a writ of election directed to the Sheriff of Caldwell County for the election of State Senator from the 4th Senatorial District of this State said election to be held on Tuesday the fifth day of October, the writs of election issued on the 20th of May last, for the same purpose are hereby revoked.

JUNE 12, 1869

From the Regiser of Civil Proceedings, 1868-1874, p. 88

The Governor issued a writ of election to the Sheriff of Dunklin County for Clerk of Clarkton Court of Common Pleas and Probate Caused by Candidates for said office at special election held 1 June 1869 failing to file their oath of Loyalty, said election to be held on Tuesday the 13th July 1869.

JULY 10, 1869

From the Register of Civil Proceedings, 1868-1874, p. 98

The Governor issued a Writ of Election to the Sheriff of Knox County for a Member of House of Representatives 25th General Assembly, to be held Tuesday September 7th next, to fill vacancy caused by resignation of Hon A Terry.

OCTOBER 27, 1869

From the Register of Civil Proceedings, 1868-1874, p. 122

The Governor issued a writ of Election directed to the Sheriff of Cooper County for an election for State Senator vice Boardman resigned, said election to be held on Tuesday the 30th day of November 1869, for 28th Senatorial District.

NOVEMBER 5, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 124-125

The Governor issued a writ of election directed to the Sheriff of Cooper County for a special election to fill the vacancy caused by the resignation of Hon. G W Boardman State Senator from the 28th Senatorial District said election to be held on Tuesday the 21st day of December 1869 and the former writ directed to said Sheriff for an election to be held on the 30th day of November A D 1869 is hereby revoked.

NOVEMBER 11, 1869

From the Register of Civil Proceedings, 1868-1874, pp. 126-127

The Governor issued writs of Election directed to the Sheriff of St. Louis County for the election of Representatives in the 25th General Assembly from the 5th and 6th

Districts of said County caused by the removal of Hon A W Mitchell and John H Terry from their respective Districts, said election to be held on the 21st day of December next.

NOVEMBER 24, 1869

From the Register of Civil Proceedings, 1868-1874, p. 129

The Governor issued a writ of election directed to the Sheriff of St. Louis County for the election of a State Senator from the 31st Senatorial District caused by the removal of Hon Joseph Brown from said District, said election to be held on Tuesday December 21st A D 1869.

FEBRUARY 15, 1870

From the Register of Civil Proceedings, 1868-1874, p. 148

The Governor issued a writ of election ordering a special election for a Judge of the Circuit Court of the 8th Judicial Circuit in St. Louis county to fill the vacancy caused by the resignation of Irvin Z. Smith to be held on the first Tuesday in April next being the fifth day of the month.

OCTOBER 18, 1870

From the Register of Civil Proceedings, 1868-1874, p. 207

The Governor issued writs of election to the Sheriffs of the counties of Atchison, Holt, Nodaway, Andrew, Buchanan, Gentry and DeKalb composing the 12th Judicial Circuit, for an election to be held Tuesday November 18th next, for a Circuit Judge vice Parker resigned.

OCTOBER 24, 1870

From the Register of Civil Proceedings, 1868-1874, p. 208

The Governor issued Writs of election to the Sheriffs of the counties of Dunklin, Stoddard, Butler, Ripley, Carter and Wayne composing the 23rd Judicial Circuit, for the election of a Circuit Judge and Circuit Attorney, the election to be held November 8th, 1870.

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